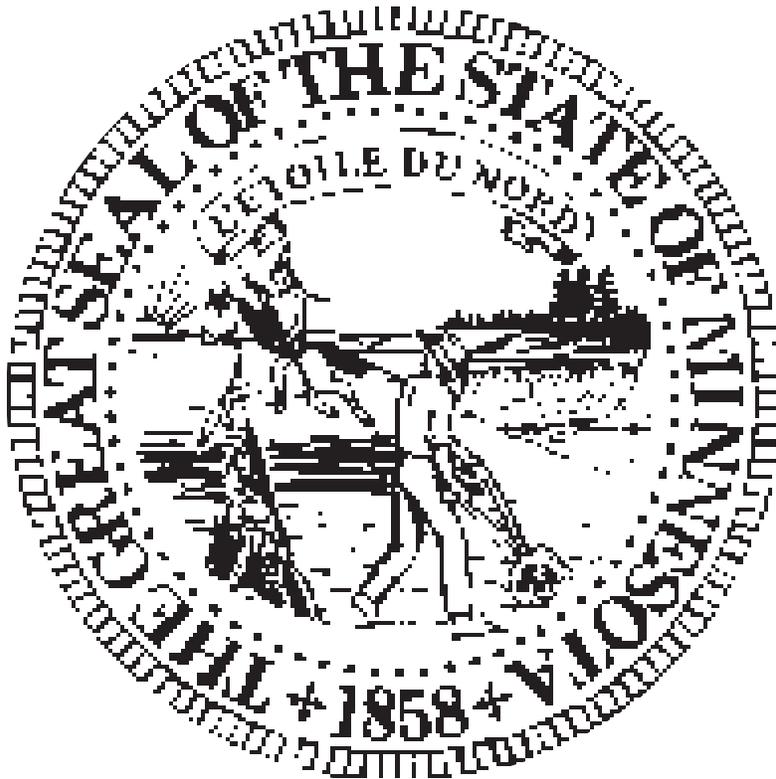


The Minnesota  
**State  
Register**

Rules and Official Notices Edition



Published every Monday (Tuesday when Monday is a holiday) by the  
Department of Administration – Communications Media Division

**Monday 2 November 1998**  
**Volume 23, Number 18**  
**Pages 913-1170**

# State Register

## Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, professional-technical-consulting contracts, non-state bids and public contracts and grants.

### Printing Schedule and Submission Deadlines

Vol. 23 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
#18	Monday 2 November	Noon Wednesday 21 October	Noon Tuesday 27 October
#19	Monday 9 November	Noon Wednesday 28 October	Noon Tuesday 3 November
#20	Monday 16 November	Noon Wednesday 4 November	Noon Tuesday 10 November
#21	Monday 23 November	Noon Wednesday 10 November	Noon Tuesday 17 November

Arne H. Carlson, Governor 651/296-3391

Joanne E. Benson, Lt. Governor 651/296-3391

Department of Administration:

Elaine S. Hansen, Commissioner 651/296-1424

Kent Allin, Asst. Commissioner 651/297-4261

Hubert H. Humphrey III, Attorney General 651/297-4272

Judi Dutcher, State Auditor 651/297-3670

Communications.Media Division

Mary Mikes, Director 651/297-3979

Joan Anderson Grove, Secretary of State 651/296-2079

Michael A. McGrath, State Treasurer 651/296-7091

Robin PanLener, Editor 651/297-7963

Gretchen Stark, Assistant Editor 651/296-0929

Jessie Rahmeyer, Subscriptions 651/297-8774

Copyright © 1998 Communications.Media Division, Department of Administration, State of Minnesota.

Publication Number: 326630. (ISSN 0146-7751)

**PUBLISHING NOTICES IN THE *State Register*:** Submit TWO COPIES of your notice, typed double-spaced. State agency submissions must include a "State Register Printing Order" form, and a "Certification/Internal Contract Negotiation" form with contracts for professional, technical and consulting services. Non-State Agencies should submit TWO COPIES, with a letter on your letterhead stationery requesting publication and date to be published. FAXED submissions to 651-297-8260 are received to meet deadline requirements, but must be followed by originals and applicable forms or letters to be accepted. The charge is \$115.00 per page, billed in tenths of a page (columns are seven inches wide). About 2-1/2 pages typed double-spaced on 8-1/2"x11" paper equal one typeset page in the *State Register*. Contact the editor if you have questions.

An "Affidavit of Publication" can be obtained at a cost of \$10.00 for notices published in the *State Register*. This service includes a notarized "Affidavit of Publication" and a copy of the issue of the *State Register* in which the notice appeared.

**SUBSCRIPTION SERVICES:** The *State Register* is published by Communications.Media Division, Department of Administration, State of Minnesota, pursuant to *Minnesota Statutes* § 14.46 and is available at the main branch of county libraries in Minnesota and all "State Depository Libraries": State University and Community College libraries; the University of Minnesota libraries; St. Paul, Minneapolis and Duluth Public Libraries; the Legislative Reference Library; State Law Library; Minnesota Historical Society Library; and the Library Development Service at the State Department of Children, Families and Learning. Copies are available at Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free 800-657-3757. TTY relay service phone number: 1-800-627-3529. **NO REFUNDS.** Subscribers who do not receive a copy of an issue should notify the *State Register* Subscription Office immediately at (651) 297-8774. Copies of back issues may not be available more than two weeks after publication. Both editions are delivered postpaid to points in the United States, Periodicals Postage Paid for the *State Register* at St. Paul, MN, first class for the *Contracts Supplement*. See the *State Register* and the *Contracts Supplement* on our website: <http://www.comm.media.state.mn.us> Click on "Minnesota's Bookstore."

- *State Register* (published every Monday, or Tuesday if Monday is a holiday) One year, hard copy, paper subscription: \$160.00.
- *Contracts Supplement* (published every Tuesday, Wednesday, Friday) One year subscription: \$135.00 via first class mail, \$150.00 via fax or through our website. Users agree not to redistribute without authorization.
- **13-week trial subscription** which includes both the *State Register* and *Contracts Supplement*. \$65.00
- **Single issues** are available for a limited time: *State Register* \$5.00, *Contracts Supplement* \$1.00. Shipping is \$3.00 per order.

### FOR LEGISLATIVE NEWS

Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

Contact: Senate Public Information Office (651) 296-0504  
Room 231 State Capitol, St. Paul, MN 55155

Contact: House Information Office (651) 296-2146  
Room 175 State Office Building, St. Paul, MN 55155

**Minnesota Rules: Amendments & Additions**  
 Volume 23, issues #14-18  
 (issues #1-13 cumulative in #13)..... 916

## Proposed Rules

**Administration Department**  
 Accessibility for buildings and facilities..... 918  
 Elevators ..... 997

**Corrections Department**  
 Certification of programs for residential treatment of  
 juvenile sex offenders..... 1010

**Teaching Board**  
 Teacher licensing ..... 1030

**Public Utilities Commission**  
 Standards for users of public rights-of-way..... 1136

## Adopted Rules

**Dietetics and Nutrition Board**  
 License renewal fees ..... 1151

## Executive Orders

**Governor's Office**  
 Executive Order #98-14: Providing that the Minnesota Year  
 2000 Project be the first technology project priority..... 1152

## Revenue Notices

**Revenue Department**  
 Revenue Notice #98-20: MinnesotaCare Tax - Receipts from  
 the sale of chiropractic medical supplies, appliances and  
 equipment ..... 1153

## Official Notices

**Children, Families and Learning Department**  
 Notice of Phase II of the Minnesota Technology Learning  
 Academy ..... 1153

**Health Technology Advisory Committee**  
 1) Availability of preliminary "New Technologies for  
 Cervical Cancer Screening" evaluation report, and  
 2) Solicitation of written comments ..... 1154

**Higher Education Facilities Authority**  
 Public hearing on issuing of revenue bonds on behalf of  
 Northwestern College of Chiropractic..... 1154

**Human Services Department**  
 Public comment sought on the federal alcohol and drug abuse  
 block grant and the availability of a statement describing  
 the intended use of funds for federal year 1999 ..... 1155

**Metropolitan Council**  
 Public forums on ADA paratransit needs assessment and  
 Metro Mobility ..... 1155

**Teachers Retirement Association**  
 Meeting Thursday 19 November 1998 of the board of  
 trustees ..... 1155

**Trade and Economic Development Department**  
 Minnesota Agricultural and Economic Development Board  
 hearing on proposed project and issuing of bonds on  
 behalf of Benedictine Care Centers ..... 1156

## State Grants & Loans

**Children, Families and Learning Department**  
 Grant availability for technology literacy challenge fund ..... 1157

**Minnesota Center for Crime Victim Services**  
 Funds available for general crime victim research projects... 1157

**Economic Security Department**  
 Funds available for coordinated outreach and community  
 supports for persons with brain injuries ..... 1157

**Human Services Department**  
 Funds available to develop and support regional parent  
 liaisons activities..... 1158  
 Proposals sought from colleges and/or training programs  
 to host the 18th Annual Minnesota Indian Institute on  
 Alcohol and Other Drug Studies ..... 1159  
 Proposals sought to provide chemical dependency services  
 to American Indian Citizens of Minnesota..... 1159

## Professional, Technical & Consulting Contracts

**Children, Families and Learning Department**  
 Proposals sought to provide an evaluation of the federal  
 child care and development fund cultural competence  
 grantees ..... 1160

**Minnesota State Colleges and Universities (MnSCU)**  
 Normandale Community College seeks proposals for inventory  
 management point-of-sale system ..... 1161

**Human Services Department**  
 Proposals sought for executive development training  
 services ..... 1166

**Transportation Department**  
 Contract available for cone penetrometer testing ..... 1167

## Non-State Public Bids, Contracts & Grants

**Metropolitan Airports Commission**  
 Qualifications statements sought for marketing consulting  
 services ..... 1168

**University of Minnesota**  
 Bid Information Service available for all potential vendors.. 1168

Commodity, Service, and Construction contracts are published in  
 a bulletin, the *State Register Contracts Supplement*, published  
 Tuesday, Wednesday and Friday. Award results are available  
 from the Materials Management Helpline (651) 296-2600.  
 Individual copies and subscriptions are available through  
 Minnesota's Bookstore, (651) 297-3000, or 1-800-657-3757.

# Minnesota Rules: Amendments and Additions

## NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1997 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (651) 297-3000, or toll-free 1-800-657-3757.

## Volume 23, Issues #14-18

(issues #1-13 cumulative in issue #13)

### Administration Department

1307.0005; .0010; .0020; .0025; .0030; .0032; .0035; .0040; .0045; .0065; .0090; .0070 (proposed).....	997
1307.0015; .0020 s.2; .0050; .0055; .0060; .0075; .0080 (proposed repealer).....	997
1341.0050; .0100; .0200; .0310; .0320; .0350; .0401; .0403; .0405; .0411; .0413; .0420; .0422; .0424; .0426; .0428; .0430; .0432; .0434; .0436; .0438; .0442; .0444; .0446; .0448; .0450; .0452; .0454; .0456; .0458; .0460; .0462; .0464; .0466; .0468; .0470; .0472; .0474; .0476; .0478; .0480; .0482; .0484; .0486; .0488; .0510; .0520; .0530; .0540; .0550; .0560; .0570; .0580; .0610; .0620; .0630; .0640; .0710; .0720; .0730; .0740; .0810; .0820; .0830; .0840; .0850; .0910; .0920; .0930; .0940; .0950; .1010; .1020; .1030; .1040; .1110; .1120; .1130; .1210; .1220; .1230; .1240; .1250; .1260; .1610; .1620; .1640 (proposed).....	918
1340.0100; .1102; .1103; .1104; .1105; .1106; .1107; .1110; .1120; .1130; .1140; .1150; .1155; .1160; .1170; .1180; .1190; .1205; .1210; .1220; .1230; .1240; .1250; .1260; .1270; .1280 (proposed repealer).....	918

### Animal Health Board

1700.0100; .0300; .0400; .0700; .0800; .1300; .1500; .2100; .0060; 1705.0120; .0150; .0160; .0170; .0180; .0210; .0220; .0260; .0270; .0310; .0390; .0420; .0530; .0840; .0930; .1040; .1086; .1087; .1088; 1715.0160; .0290; .0300; .0430; .0440; .0460; .0570; .0780; .1060; .1070; .1100; .1130; .1140; .1150; .1160; .1230; .1370; .1390; .1420; .1440 (adopted).....	883
1700.1400; 4800; 1705.0060 s.2a; .0400; .0430; .0460; .0510; .0640 s.4a, 8; .0670; .0728; .0731; .0735; .1081; .1082; .1083; .1084; .1085; 1715.0400; .0880; .0980; .0990; .1090; .1180 (repealed).....	883

### Chiropractic Examiners Board

2500.0710; .0720; .0730; .0740; .0750; .1000; (proposed).....	783
2500.1110; .1600; .1900 (proposed).....	785
2500.1200; .1225; .1500 (proposed).....	781

### Commerce Department

2752.0010; .0015; .0020; .0030; .0040 (adopted).....	806
--	-----

### Corrections Department

2940.0100; .0200; .0300; .0400; .0600; .0700; .0800; .0900; .1000; .1100; .1300; .1500; .1600; .1800; .2300; .2700; .2800; .3100; .3200; .3300; .3500; .3700; .3800; .3900; .4000; .4200; .4300; .4400; .4500 (adopted exempt).....	808
2940.0100 s.11, 15, 30; .4600; .4700; .4800; .4900; .5000; .5100; .5200; .5300; .5400; .5500; .5600 (repealed exempt).....	808
2955.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0110; .0120; .0130; .0140; .0150; .0160; .0170 (proposed).....	1010
2965.0010; .0020; .0030; .0040; .0050; .0060; .0070; .0080; .0090; .0100; .0110; .0120; .0130; .0140; .0150; .0160; .0170 (proposed).....	787

### Dietetics and Nutrition Practice Board

3250.0050 (adopted).....	1151
--------------------------	------

### Education Board

3512.5200 (proposed).....	705
---------------------------	-----

### Health Department

4668.0002; .0003; .0008; .0012; .0017; .0040; .0050; .0075; .0220; .0230; .0800; .0805; .0810; .0815; .0820; .0825; .0830; .0835; .0840; .0845; .0855; .0860; .0865; .0870 (proposed).....	854
4730.0100; .0300; .0310; .0340; .0360; .0380; .0400; .0600; .0700; .0900; .1120; .1130; .1140; .1210; .1310; .1510; .1520; .1530; .1600; .1610; .1630; .1665; .1670; .1675; .1680; .1690; .1691; .1693; .1695; .1850; .1950; .2150; .2250; .2350; .2450; .2475; .2510; .2520; .2530; .2570; .2600; .2710; .2750; .5500 (proposed).....	708
4730.0340 s.2; .1120 s. 1; .1130 s. 3; .1140 s. 1; .1400; .1691 s. 10; .1695 s.6; .2450 s. 18; .3000 (proposed repealer).....	708

### Labor and Industry Department

5205.0010 (adopted exempt/adopted by reference).....	813
--	-----

### Medical Practice Board

5600.2500 (adopted).....	807
--------------------------	-----

# Minnesota Rules: Amendments and Additions

## Natural Resources Department

**6100.0100**; .0200; .0300; .0500; .0525; .0550; .0600; .0650;  
.0700; .0800; .0900; .1000; .1100; .1200; .1250; .1350; .1355;  
.1400; .1500; .1600; .1650; .1700; .1710; .1900; .1950; .2350;  
.2400 (**proposed**) ..... 751

**6100.0400**; .0500 s. 3a, 5c, 5d, 7c; .0800 s. 3, 4; .1300; .1610;  
.1905; .1910; .1920; .1930; .2000; .2100; .2300  
(**proposed repealer**) ..... 751

**6230.0400**; **6240.1850** (**adopted expedited emergency**) ..... 894

## Optometry Board

**6500.0100**; .0150; .0900; .1000; .1100; .1200; .1300; .1400; .1500;  
.1600; .1700 (**adopted**) ..... 883

**6500.0150** (**renumbered to 6500.0950**) ..... 883

**6500.0200** (**repealed**) ..... 883

## Pollution Control Agency

**7001.0020**; .4200; .4210; .4215; .4220; .4230; .4240; .4250;  
**7151.1100**; .1200; .1300; .2100; .3100; .4100; .5100; .5200; .5300;  
.5400; .5500; .5600; .5700; .6100; .6200; .6300; .6400; .6500; .6600;  
.6700; .7100; .7200; .7300; .7400; .7500; .8100; .8200; .8300; .8400;  
.8500; .9100; .9200; .9300; .9400; .9500; .9600 (**adopted**) ..... 883

**7100.0010**; .0020; .0030; .0040; .0050; .0060; .0070; .0080;  
.0090 (**repealed**) ..... 883

## Public Safety Department

**7410.0100**; .0200; .0300; .0400; .0425; .0500 (**adopted**) ..... 832

**7410.0100** s.6 (**repealed**) ..... 832

## Public Utilities Commission

**7819.0050**; .0100; .0200; .1000; .1100; .1200; .1250; .3000; .3100;  
.3200; .3300; .4000; .4100; .5000; .9900; .9905; .9910; .9915;  
.9920; .9925; .9930; .9935; .9940; .9945; .9950 (**proposed**) ..... 1136

## Gambling Control Board

**7861.0010**; .0060; .0070; .0080; .0090; .0100; .0110; .0120;  
**7863.0010**; .0020; **7864.0010**; .0030 (**adopted**) ..... 831

**7861.0100** s.17 (**repealed**) ..... 831

## Minnesota Racing Commission

**7869.0100**; **7870.0050**; .0640; **7871.0030**; .0150; **7873.0186**;  
.0190; .0191; .0198; **7874.0100**; **7875.0200** (**proposed**) ..... 877

**7895.0125** (**adopted**) ..... 832

## Revenue Department

**8019.0500** (**adopted**) ..... 807

## Teaching Board

**8700.0100**; .0300; .0500; .7800; **8710.2000**; .3000; .3100; .3200;  
.4000; .4050; .4100; .4150; .4200; .4250; .4300; .4350; .4400;  
.4450; .4500; .4550; .4600; .4650; .4700; .4750; .4800; .4825;  
.4850; .4900; .4950; .5000; .5100; .5200; .5300; .5400; .5500;  
.5600; .5700; .5800; .6000; .6200; .6300; .6400 (**proposed**) ..... 1030

**8700.2700** effective Sept 1, 2001; .2810 (**proposed repealer**) ..... 1030

RENUMBER **8700.0100** to **8710.0100**; **8700.0600** to **8710.0200**;  
**8700.0200** to **8710.0300**; **8700.0500** to **8710.0350**; **8700.7800** to  
**8710.0400**; **8700.0210** to **8710.0500**; **8700.0400** to **8710.0600**;  
**8700.0501** to **8710.0700**; **8700.0700** to **8710.0800**; **8700.0800** to  
**8710.0850**; **8700.2500** to **8710.0900**; **8700.0300** to **8710.1000**;  
**8700.0502** to **8710.1100**; **8700.7300** to **8710.1200**; **8700.7400** to  
**8710.1300**; **8700.2400** to **8710.1400** (**proposed renumbering**) ..... 1030

## Human Services Department

**9500.4000**; .4010; .4020; .4030; .4040; .4050; .4060; .4070; .4080;  
.4090; .4100; .4110; .4120; .4130; .4140; .4150; .4160; .4170;  
.4180; .4190; .4200; .4210; .4220; .4230; .4240; .4250; .4260;  
.4270; .4280; .4290; .4300; .4310; .4320; .4330; .4340;  
**9510.0010**; .0020; .0030; .0040; .0050; .0060; .0070; .0080;  
.0090; .0100; .0110; .0120; .0130; .0140; .0150; .0160; .0170;  
.0180; .0190; .0200; .0210; .0220; .0230; .0240; .0250; .0260;  
.0270; .0280; .0290; .0300; .0310; .0320; .0330; .0340; .0350;  
.0360; .0370; .0380; .0390; .0400; .0410; .0420; .0430; .0440;  
.0450; .0460; .0470; .0480; .0500; .0510; .0520; .0530; .0540;  
.0550; .0560; .0570; .0580; .0590; .0600; .0610; .0620; .0630;  
.0640; .0650; .0660; .0670; .0680; .0690; .0700; .0710; .0720;  
.0730; .0740; .0750; .0760; .0770; .0780; .0790; .0800; .0810;  
.0820; .0830; .0840; .0850; .0860; .0870; .0880; .0890; .1000;  
.1010 (**proposed repealer**) ..... 875

# Proposed Rules

## Comments on Planned Rules or Rule Amendments

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

## Rules to be Adopted After a Hearing

After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

## Rules to be Adopted Without a Hearing

Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

## Department of Administration

### Proposed Permanent Rules Relating to Accessibility for Buildings and Facilities

**DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing If 25 or More Requests for Hearing Are Received**

#### **Proposed Amendment to Rules Governing the Minnesota Accessibility Code, *Minnesota Rules*, Chapter 1340, Chapter 1341.**

**Introduction.** The Department of Administration intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by 4:30 p.m. on December 2, 1998, a public hearing will be held in Suite 408, Metro Square Building, 121 East 7th Place, St Paul, Minnesota 55101, starting at 9 a.m. on Thursday, December 17, 1998. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after December 2, 1998 and before December 17, 1998.

**Agency Contact Person.** Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Janet Streff at Building Codes and Standards Division of the Department of Administration, 121 East 7th Place, Suite 408, St. Paul, MN 55101, (651) 296-4329, or FAX (651) 297-1973.

**Subject of Rules and Statutory Authority.** The proposed rule repeals Chapter 1340, *Facilities for the Handicapped*, of the state building code in its entirety and recodifies it as Chapter 1341, *Minnesota Accessibility Code*. This rule deals with changes to the state building code's requirements for accessible design and construction of facilities for persons with disabilities. Changes to the scoping and technical requirements of the current rule are minimal in scope. The basis of the new rule will change from the Uniform Building Code to the Americans with Disabilities Act Accessibility Guidelines (ADAAG). The ADAAG is a well-known federal document that has authority throughout the United States. ADAAG is designed as a component of a civil rights law and some changes are necessary in order to allow it to function as a building code. The proposed rule is an attempt to simplify, for building officials, architects, contractors, building owners and the general public, the building code requirements for accessible design. Since the federal government has established the minimal standard through publication of the ADAAG, it is reasonable that Minnesota use the ADAAG as the basis of our building code. The ADAAG was first published on July 26, 1991 and established a national standard for accessible design. Because the ADAAG is a federal document, it has full effect throughout the country and is a well-known and accepted standard.

In order for Minnesota to create building code requirements that are user friendly, it is necessary to establish a single document containing all issues related to accessible design and construction. For purposes of consistency and continuity, the building code should also follow the ADAAG provisions as near as practicable. In order to achieve this goal, the proposed rule essentially duplicates the ADAAG language. Minnesota amendments and changes necessary for building code purposes are incorporated directly into the ADAAG document. The result is a single document which is similar in content to the current accessibility rule.

The statutory authority to adopt the rules is *Minnesota Statutes*, section 16B.59 to 16B.75. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

**Comments.** You have until 4:30 p.m. on Wednesday, December 2, 1998 to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period. A free copy of the entire rule is available upon request from the agency contact person.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on December 2, 1998. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

**Withdrawal of Requests.** If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**Alternative Format/Accommodation.** Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

**Modifications.** The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing.** The hearing scheduled for December 17, 1998 will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651) 296-4639 after December 2, 1998 to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Richard C. Luis is assigned to conduct the hearing. Judge Luis can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone (612) 349-2542, and FAX (612) 349-2665.

**Hearing Procedure.** If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day response period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment or response period also submit a copy of the written views or data to the agency contact person at the address stated above.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from either the agency or the Office of Administrative Hearings.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 612/296-5148 or 1-800-657-3889.

**Adoption Procedure if No Hearing.** If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

**Adoption Procedure After a Hearing.** If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and files them with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

**Order.** I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: 20 October 1998

Elaine S. Hansen, Commissioner  
Department of Administration

### **1341.0050 COMPLIANCE.**

Compliance with this chapter does not guarantee compliance with the Federal Americans with Disabilities Act, Minnesota Human Rights Act, Federal Fair Housing Act, or any other civil rights law.

### **1341.0100 ADAAG 1: PURPOSE.**

This chapter sets requirements for accessibility to all occupancy classifications within the State Building Code. The requirements of this chapter shall be applied during the design, construction, and alteration of buildings and facilities to the extent required by this chapter.

EXCEPTION 1: Group R-1 apartment house occupancies containing not more than three dwelling units.

EXCEPTION 2: Group R-3 dwelling occupancies containing three or less dwelling units.

EXCEPTION 3: Group U-1 sheds and agricultural buildings; and private garages and carports not containing accessible parking.

EXCEPTION 4: Group U-2 Occupancies.

The new construction requirements of this chapter shall be applied to existing buildings that undergo a change in use, unless technically infeasible. A change in character within the same occupancy group where the new occupant is the professional office of a health care provider, a public transportation facility, or a public facility shall also trigger new construction requirements, unless technically infeasible. If compliance is technically infeasible, compliance shall be obtained to the extent which is technically feasible.

Most of the text and diagrams in this chapter are reproduced from the Americans with Disabilities Act Accessibility Guidelines (ADAAG).

The initial listing of each rule part number, subpart number, item, subitem, and unit is followed by the corresponding ADAAG section number in bold face type. The ADAAG numbers are only a guide to language found in the ADAAG that is similar to, but not the same as, the language in this chapter.

### **1341.0200 ADAAG 2: GENERAL.**

Subpart 1. ADAAG 2.1: Provisions for adults. The specifications in this chapter are based upon adult dimensions and anthropometrics. This chapter also contains alternate specifications based on children's dimensions and anthropometrics for drinking fountains, water closets, toilet stalls, lavatories, sinks, and fixed or built-in seating and tables.

Subp. 2. ADAAG 2.2: Equivalent facilitation. Departures from particular technical and scoping requirements of this chapter by the use of other designs and technologies are permitted if the alternative designs and technologies used will provide equivalent or greater access to and usability of the facility.

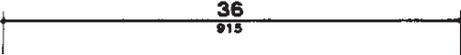
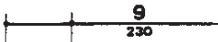
MISCELLANEOUS INSTRUCTIONS

**1341.0310 ADAAG 3.1: GRAPHIC CONVENTIONS.**

Subpart 1. **Explanation of Table 1.** Graphic conventions are shown in subpart 2, table 1. Dimensions that are not marked minimum or maximum are absolute, unless otherwise indicated in the text or captions. Unless otherwise stated, dimensions are to centerline.

Subp. 2. **Table 1.**

**TABLE 1  
GRAPHIC CONVENTIONS**

Convention	Description
	Typical dimension line showing U.S. customary units (in inches) above the line and SI units (in millimeters) below
	Dimensions for short distances indicated on extended line
	Dimension line showing alternate dimensions required
	Direction of approach
<b>max</b>	Maximum
<b>min</b>	Minimum
	Boundary of clear floor area
	Centerline

**1341.0320 ADAAG 3.2: DIMENSIONAL TOLERANCES.**

All dimensions are subject to conventional building industry tolerances for field conditions.

**1341.0350 ADAAG 3.5: DEFINITIONS.**

Subpart 1. **Scope.** The definitions in this part apply to this chapter.

Subp. 2. **Access aisle.** “Access aisle” means an accessible pedestrian space between elements, such as parking spaces, seating, and desks, that provides clearances appropriate for use of the elements.

Subp. 3. **Accessible.** “Accessible” describes a site, building, facility, or portion of a site, building, or facility that complies with this chapter.

Subp. 4. **Accessible element.** “Accessible element” means an element specified by this chapter, such as a telephone or controls.

Subp. 5. **Accessible route.** “Accessible route” means a continuous unobstructed path connecting all accessible elements and spaces of a building or facility. Interior accessible routes may include corridors, floors, ramps, elevators, lifts, and clear floor space at fixtures. Exterior accessible routes may include parking access aisles, curb ramps, crosswalks at vehicular ways, and walks.

Subp. 6. **Accessible space.** “Accessible space” means space that complies with this chapter.

Subp. 7. **Adaptability.** “Adaptability” means the ability of certain building spaces and elements, such as kitchen counters, sinks, and grab bars, to be added or altered to accommodate the needs of individuals with or without disabilities or to accommodate the needs of persons with different types or degrees of disability.

Subp. 8. **Addition.** “Addition” means an expansion, extension, or increase in the gross floor area of a building or facility.

Subp. 9. **Administrative authority.** “Administrative authority” means a governmental agency that adopts or enforces regulations and guidelines for the design, construction, or alteration of buildings and facilities.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

**Subp. 10. Alteration.** “Alteration” means a change to a building or facility that affects or could affect the usability of the building or facility or part of the building or facility. Alterations include, but are not limited to, remodeling, renovation, rehabilitation, reconstruction, historic restoration, resurfacing of circulation paths or vehicular ways, changes or rearrangement of the structural parts or elements, and changes or rearrangement in the plan configuration of walls and full-height partitions. Normal maintenance, reroofing, painting or wallpapering, or changes to mechanical and electrical systems are not alterations unless they affect the usability of the building or facility.

**Subp. 11. Area of rescue assistance.** “Area of rescue assistance” means an area, which has direct access to an exit, where people who are unable to use stairs may remain temporarily in safety to await further instructions or assistance during emergency evacuation.

**Subp. 12. Assembly area.** “Assembly area” means a room or space accommodating a group of individuals for recreational, educational, political, social, civic, or amusement purposes, or for the consumption of food and drink.

**Subp. 13. Automatic door.** “Automatic door” means a door equipped with a power-operated mechanism and controls that open and close the door automatically upon receipt of a momentary actuating signal. The switch that begins the automatic cycle may be a photoelectric device, floor mat, or manual switch. See subpart 38, “power-assisted door.”

**Subp. 14. Boarding care.** “Boarding care” means a facility or unit used to provide care for aged or infirm persons who require personal or custodial care and related services.

**Subp. 15. Building.** “Building” means a structure used and intended for supporting or sheltering any use or occupancy.

**Subp. 16. Change in use.** “Change in use” means a change made in the character of occupancies or use of any building or portion of a building which would place the building or portion of the building in a different division of the same group of occupancies or in a different group of occupancies.

**Subp. 17. Circulation path.** “Circulation path” means an exterior or interior way of passage from one place to another for pedestrians, including, but not limited to, walks, hallways, courtyards, stairways, and stair landings.

**Subp. 18. Clear.** “Clear” means unobstructed.

**Subp. 19. Clear floor space.** “Clear floor space” means the minimum unobstructed floor or ground space required to accommodate a single, stationary wheelchair and occupant. Unless otherwise stated, unobstructed clear floor space shall extend from floor or ground to a height of 80 inches (2,030 mm).

**Subp. 20. Closed circuit telephone.** “Closed circuit telephone” means a telephone with dedicated lines such as a house phone, courtesy phone, or phone that must be used to gain entrance to a facility.

**Subp. 21. Common use.** “Common use” refers to those interior and exterior rooms, spaces, or elements that are made available for the use of a restricted group of people, such as the occupants of a homeless shelter, the occupants of an office building, or the guests of those occupants.

**Subp. 22. Comply with.** “Comply with” means meets one or more specifications of this chapter.

**Subp. 23. Cross slope.** “Cross slope” means the slope that is perpendicular to the direction of travel. See subpart 43, “running slope.”

**Subp. 24. Curb ramp.** “Curb ramp” means a short ramp cutting through a curb or built up to it.

**Subp. 25. Detectable warning.** “Detectable warning” means a standardized surface feature built in or applied to walking surfaces or other elements to warn visually impaired people of hazards on a circulation path.

**Subp. 26. Egress, accessible means of.** “Egress, accessible means of” means an accessible route that leads to an area of rescue assistance, a horizontal exit, or a clear floor space outside the building and clear of the swing of any door.

**Subp. 27. Element.** “Element” means an architectural or mechanical component of a building, facility, space, or site, such as a telephone, curb ramp, door, drinking fountain, seating, or water closet.

**Subp. 28. Entrance.** “Entrance” means any access point to a building or portion of a building or facility used for the purpose of entering. An entrance includes the approach walk, the vertical access leading to the entrance platform, the entrance platform itself, vestibules if provided, the entry doors or gates, and the hardware of the entry doors or gates.

**Subp. 29. Facility.** “Facility” means all or any portion of buildings, structures, site improvements, complexes, roads, walks, passageways, parking lots, or other real property located on a site.

**Subp. 30. Ground floor.** “Ground floor” means any occupiable floor less than one story above or below grade with direct access to grade. A building or facility always has at least one ground floor and may have more than one ground floor, as where a split level entrance has been provided or where a building is built into a hillside.

Subp. 31. **If or if ... then.** “If” or “if ... then” means a specification that applies only when the conditions described are present.

Subp. 32. **Marked crossing.** “Marked crossing” means a crosswalk or other identified path intended for pedestrian use in crossing a vehicular way.

Subp. 33. **May.** “May” means an option or alternative.

Subp. 34. **Mezzanine or mezzanine floor.** “Mezzanine” or “mezzanine floor” means that portion of a story which is an intermediate floor level placed within the story.

Subp. 35. **Occupiable.** “Occupiable” means a room or enclosed space designed for human occupancy in which individuals congregate for amusement, educational, or similar purposes, or in which occupants are engaged at labor, and which is equipped with means of egress, light, and ventilation.

Subp. 36. **Operable part.** “Operable part” means a part of a piece of equipment or appliance used to insert or withdraw objects or to activate, deactivate, or adjust the equipment or appliance, such as a coin slot, pushbutton, or handle.

Subp. 37. **Path of travel.** “Path of travel” means a pedestrian passageway provided between facilities, rooms, elements, and spaces.

Subp. 38. **Power-assisted door.** “Power-assisted door” means a door used for human passage with a mechanism that helps to open the door, or relieves the opening resistance of a door, upon the activation of a switch or a continued force applied to the door itself.

Subp. 39. **Primary function area.** “Primary function area” means a room or space within a building or facility that provides a major activity for which the building or facility is intended. Areas that contain a primary function include, but are not limited to, the customer services lobby of a bank, the dining areas of a cafeteria, the meeting rooms in a conference center, and the offices and work areas provided for employees. Mechanical, boiler, and storage rooms; employee lounges or locker rooms; janitorial closets; entrances and corridors; and, in most cases, toilet rooms are not considered primary function areas. Buildings and facilities may have, and in most cases will have, multiple primary function areas.

Subp. 40. **Public facility.** “Public facility” means a facility or portion of a facility constructed by, on behalf of, or for the use of the state of Minnesota or any local government and any department, agency, public school district, special purpose district, or other instrumentality of the state or local government.

Subp. 41. **Public use.** “Public use” describes interior or exterior rooms or spaces that are made available to the general public. Public use may be provided at a building or facility that is privately or publicly owned.

Subp. 42. **Ramp.** “Ramp” means a walking surface with a running slope greater than 1:20.

Subp. 43. **Running slope.** “Running slope” means the slope that is parallel to the direction of travel. See subpart 23, “cross slope.”

Subp. 44. **Self-service storage facility.** “Self-service storage facility” means real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

Subp. 45. **Service entrance.** “Service entrance” means an entrance intended primarily for delivery of goods or services.

Subp. 46. **Shall.** “Shall” means a mandatory specification or requirement.

Subp. 47. **Signage.** “Signage” means displayed verbal, symbolic, tactile, and pictorial information.

Subp. 48. **Site.** “Site” means a parcel of land bounded by a property line or a designated portion of a public right-of-way.

Subp. 49. **Site improvement.** “Site improvement” means landscaping, paving for pedestrian and vehicular ways, outdoor lighting, recreational facilities, and similar improvements added to a site.

Subp. 50. **Sleeping accommodations.** “Sleeping accommodations” means rooms in which people sleep, such as a dormitory and hotel or motel guest rooms or suites.

Subp. 51. **Small business occupancy.** “Small business occupancy” means a privately owned business that is not a part of a franchise or chain of privately owned businesses.

Subp. 52. **Space.** “Space” means a definable area, such as a room, toilet room, hall, assembly area, entrance, storage room, alcove, courtyard, or lobby.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

Subp. 53. **Story.** “Story” means that portion of a building included between the upper surface of a floor and upper surface of the floor or roof next above. If a portion of a building does not include occupiable space, it is not considered a story for purposes of this chapter. There may be more than one floor level within a story as in the case of a mezzanine or mezzanines.

Subp. 54. **Structural frame.** “Structural frame” means the columns and the girders, beams, trusses, and spandrels having direct connections to the columns and all other members which are essential to the stability of the building as a whole.

Subp. 55. **Tactile.** “Tactile” describes an object that can be perceived using the sense of touch.

Subp. 56. **Technically infeasible.** “Technically infeasible” means an alteration or modification of an existing building or facility that has little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member which is an essential part of the structural frame; or because interference of substantial building systems or site constraints prohibit modification or addition of elements, spaces, or features which are in full and strict compliance with the minimum requirements for new construction.

Subp. 57. **Text telephone or TTY.** “Text telephone” or “TTY” means machinery or equipment that employs interactive text-based communications through the transmission of coded signals across the standard telephone network. Text telephones can include, for example, devices known as TDDs (telecommunication display devices or telecommunication devices for deaf persons) or computers with special modems. Text telephones are also called TTYs (tele-typewriters).

Subp. 58. **Transient lodging.** “Transient lodging” means a building, facility, or portion of a building or facility, excluding inpatient medical care facilities and residential facilities, that contains sleeping accommodations. Transient lodging may include, but is not limited to, resorts, group homes, hotels, motels, and dormitories.

Subp. 59. **UBC.** “UBC” means the Uniform Building Code as adopted and amended in chapter 1305.

Subp. 60. **Vehicular way.** “Vehicular way” mean a route intended for vehicular traffic, such as a street, driveway, or parking lot.

Subp. 61. **Walk.** “Walk” mean an exterior pathway with a prepared surface intended for pedestrian use, including general pedestrian areas such as plazas and courts.

### ACCESSIBLE ELEMENTS AND SPACES; SCOPE AND TECHNICAL REQUIREMENTS

#### **1341.0401 ADAAG 4.1 and 4.1.1: MINIMUM SCOPING REQUIREMENTS; APPLICATION.**

Subpart 1. **ADAAG 4.1.1(1): General.** Within all occupancy classifications, all areas of newly designed or newly constructed buildings and facilities and altered portions of and additions to existing buildings and facilities shall comply with parts 1341.0401 to 1341.1640, unless otherwise provided in this chapter or as modified in parts 1341.0510 to 1341.1640.

Subp. 2. **ADAAG 4.1.1(2): Application based on building use.** Parts 1341.0510 to 1341.1640 provide additional requirements based on building use. If a building or facility contains more than one use, each portion shall comply with the requirements for that use.

Subp. 3. **ADAAG 4.1.1(3): Areas used only by employees as work areas.** Areas that are used only as work areas shall be designed and constructed so that each work area is located on an accessible route and provided with at least one accessible entrance. At a minimum, the entrance must comply with part 1341.0444 and a clear floor space complying with part 1341.0420, subpart 4, item A, must be provided within the work area. If a door is provided to the work area, the door shall comply with part 1341.0442 on the accessible route side of the door. These requirements do not require that any areas used only as work areas be constructed to permit maneuvering within the work area or be constructed or equipped to be accessible, for example, with racks, equipment, or shelves.

Subp. 4. **ADAAG 4.1.1(4): Temporary structures.** This chapter covers temporary buildings or facilities as well as permanent facilities. Temporary buildings or facilities are not of permanent construction but are extensively used or are essential for public use for a period of time. Examples of temporary buildings or facilities covered by this chapter include, but are not limited to, reviewing stands, temporary classrooms, sales and leasing offices, bleacher areas, exhibit areas, temporary banking facilities, temporary health screening services, or temporary safe pedestrian passageways around a construction site. Structures, sites, and equipment directly associated with the actual processes of construction, such as scaffolding, bridging, materials hoists, or construction trailers, are not included.

Subp. 5. **ADAAG 4.1.1(5): General exceptions.**

A. **ADAAG 4.1.1(5)(a):** In new construction, a person or entity is not required to meet fully the requirements of this chapter if that person or entity can demonstrate that it is structurally impracticable to do so. Full compliance will be considered structurally impracticable only in those rare circumstances when the unique characteristics of terrain prevent the incorporation of accessibility features. If full compliance with this chapter is structurally impracticable, a person or entity shall comply with this chapter to the extent it is not structurally impracticable. Any portion of the building or facility that can be made accessible shall comply to the extent that it is not structurally impracticable.

**B. ADAAG 4.1.1(5)(b):** Accessibility is not required for or in:

(1) ADAAG 4.1.1(5)(b)(i): raised areas used primarily for purposes of security or life or fire safety, including, but not limited to, observation or lookout galleries, prison guard towers, fire towers, or fixed life guard stands;

(2) ADAAG 4.1.1(5)(b)(ii): spaces not normally occupied and accessed only by ladders, catwalks, crawl spaces, very narrow passageways, tunnels, or freight (nonpassenger) elevators, and frequented only by service personnel for maintenance, repair, or occasional monitoring of equipment. These spaces may include, but are not limited to, elevator pits, elevator penthouses, piping or equipment catwalks, water or sewage treatment pump rooms and stations, electric substations and transformer vaults, and highway and tunnel utility facilities;

(3) single occupant structures accessed only by a passageway that is below grade or that is elevated above standard curb height, including, but not limited to, toll booths accessed from underground tunnels; or

(4) catwalks used for production purposes in assembly occupancies.

**1341.0403 ADAAG 4.1.2: ACCESSIBLE SITES AND EXTERIOR FACILITIES; NEW CONSTRUCTION.**

An accessible site shall meet the following minimum requirements in items A to G.

**A. ADAAG 4.1.2(1):** At least one accessible route complying with part 1341.0422 shall be provided within the boundary of the site from public transportation stops, accessible parking spaces, passenger loading zones if provided, and public streets or sidewalks to an accessible building entrance. The accessible route shall be the shortest, most direct route possible whenever feasible. This requirement may increase the number of accessible entrances required by part 1341.0405, item H.

**B. ADAAG 4.1.2(2):** At least one accessible route complying with part 1341.0422 shall connect accessible buildings, accessible facilities, accessible elements, and accessible spaces that are on the same site.

**C. ADAAG 4.1.2(3):** All objects that protrude from surfaces or posts into circulation paths shall comply with part 1341.0424.

**D. ADAAG 4.1.2(4):** Ground surfaces along accessible routes and in accessible spaces shall comply with part 1341.0426.

**E. (1) ADAAG 4.1.2(5)(a):** If parking spaces are provided for self-parking, then accessible spaces complying with part 1341.0428 shall be provided in each such parking area in conformance with the table in this subitem. The number of accessible spaces shall be based on the total number of parking spaces provided within the site.

EXCEPTION: Two percent of the total number of parking spaces in covered multifamily housing developments shall be accessible.

Spaces required by the table in this subitem need not be provided in the particular lot but shall be dispersed among the various accessible entrances and in the various types of parking facilities, such as surface and enclosed parking areas. They may be provided in a different location if equivalent or greater accessibility, in terms of distance from an accessible entrance, parking fee, and convenience, is ensured.

<u>Total Parking in Lot</u>	<u>Required Minimum Number of Accessible Spaces</u>
<u>1 to 25</u>	<u>1</u>
<u>26 to 50</u>	<u>2</u>
<u>51 to 75</u>	<u>3</u>
<u>76 to 100</u>	<u>4</u>
<u>101 to 150</u>	<u>5</u>
<u>151 to 200</u>	<u>6</u>
<u>201 to 300</u>	<u>7</u>
<u>301 to 400</u>	<u>8</u>
<u>401 to 500</u>	<u>9</u>
<u>501 to 1,000</u>	<u>2 percent of total</u>
<u>1,001 and over</u>	<u>20 plus 1 for each 100 over 1,000</u>

Except as provided in subitem (2), access aisles adjacent to accessible spaces shall be a minimum of 60 inches (1,525 mm) wide.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

(2) **ADAAG 4.1.2(5)(b):** One in every eight accessible spaces, but not less than one, shall be served by an access aisle a minimum of 96 inches (2,440 mm) wide and shall be designated "van accessible" as required by part 1341.0428, subpart 4. The vertical clearance at the spaces shall comply with part 1341.0428, subpart 5. All the spaces may be grouped on one level of a parking structure.

**EXCEPTION:** In lieu of a combination of standard accessible and van accessible parking spaces, all required accessible spaces may be provided measuring 132 inches (3,350 mm) wide with a 60-inch (1,525-mm) access aisle.

(3) **ADAAG 4.1.2(5)(c):** If passenger loading zones are provided, then at least one passenger loading zone shall comply with part 1341.0428, subpart 6.

(4) **ADAAG 4.1.2(5)(d):** At facilities providing medical care or other services for persons with mobility impairments, parking spaces complying with part 1341.0428 shall be provided as follows:

(a) **ADAAG 4.1.2(5)(d)(i):** hospital outpatient units and similar facilities, ten percent of the total number of parking spaces provided serving each outpatient unit or facility;

(b) **ADAAG 4.1.2(5)(d)(ii):** units and facilities that specialize in treatment or services for persons with mobility impairments, 20 percent of the total number of parking spaces provided serving each unit or facility; and

(c) **ADAAG 4.1.2(5)(d)(iii):** facilities providing general or routine medical care shall provide parking spaces according to subitem (1).

If a parking facility serves various types of medical care units, the accessible parking spaces required may be provided on a pro-rated basis in relation to the type of medical care units available. For example, if a medical care facility provides 90 percent routine medical care and ten percent outpatient rehabilitation serves for persons with mobility impairments, 90 percent of the parking facility would provide accessible parking according to subitem (1), and the remaining ten percent of the parking facility would provide accessible parking at 20 percent according to unit (b).

(5) **ADAAG 4.1.2(5)(e):** Valet parking facilities shall provide a passenger loading zone complying with part 1341.0428, subpart 6, located on an accessible route to the entrance of the facility. Subitems (1), (2), and (4) do not apply to valet parking facilities.

**F. ADAAG 4.1.2(6):** If toilet facilities are provided on a site, then each public or common use toilet facility shall comply with part 1341.0460. If bathing facilities are provided on a site, then each public or common use bathing facility shall comply with part 1341.0462.

For single user portable toilet or bathing units clustered at a single location, at least five percent but no less than one toilet unit or bathing unit complying with part 1341.0460 or 1341.0462 shall be installed at each cluster when typical inaccessible units are provided. Accessible units shall be identified by the International Symbol of Accessibility in Figure 43 in part 1341.0476.

**EXCEPTION:** Portable toilet units at construction sites used exclusively by construction personnel are not required to comply with this item.

**G. ADAAG 4.1.2(7):** Signs that designate toilet rooms, room numbers, room names such as named conference rooms, and exit stairways shall comply with part 1341.0476, subparts 1, 4, 5, and 6. Other signs that provide direction to, or information about, functional spaces of the building shall comply with part 1341.0476, subparts 1, 2, 3, and 5. Elements and spaces of accessible facilities that shall be identified by the International Symbol of Accessibility in Figure 43 in part 1341.0476 and that shall comply with part 1341.0476, subpart 7, are:

(1) **ADAAG 4.1.2(7)(a):** parking spaces designated as reserved for individuals with disabilities;

(2) **ADAAG 4.1.2(7)(b):** accessible passenger loading zones;

(3) **ADAAG 4.1.2(7)(c):** accessible entrances when not all are accessible (inaccessible entrances shall have directional signage to indicate the route to the nearest accessible entrance); and

(4) **ADAAG 4.1.2(7)(d):** accessible toilet and bathing facilities.

### **1341.0405 ADAAG 4.1.3: ACCESSIBLE BUILDINGS; NEW CONSTRUCTION.**

Accessible buildings and facilities shall meet the minimum requirements in items A to W.

**A. ADAAG 4.1.3(1):** At least one accessible route complying with part 1341.0422 shall connect accessible building or facility entrances with all nonexempt spaces and elements within the building or facility. All levels of a floor, located on an accessible route, shall be accessible except as modified by this chapter.

**EXCEPTION:** Band, orchestra, and choir risers must have access to the director/conductor level and at least one performance level. The director/conductor level and performance level may be the same level.

If an interior path of travel is provided, the accessible route shall also be interior.

**B. ADAAG 4.1.3(2):** All objects that overhang or protrude into circulation paths shall comply with part 1341.0424.

**C. ADAAG 4.1.3(3):** Ground and floor surfaces along accessible routes and in accessible rooms and spaces shall comply with part 1341.0426.

**D. ADAAG 4.1.3(4):** Interior and exterior stairs connecting levels that are not connected by an elevator, ramp, or other accessible means of vertical access shall comply with part 1341.0434.

**E. ADAAG 4.1.3(5):** One passenger elevator complying with part 1341.0436 shall serve each story and basement level, including mezzanines, in all buildings and facilities unless exempted in this item. If more than one elevator is provided, each passenger elevator shall comply with part 1341.0436. The exceptions in this item do not apply to story levels of buildings and facilities with two or more stories above or below the level of access, for example, an elevator is required to serve each story level in buildings and facilities that have two or more stories above or below the level of access.

**EXCEPTION 1:** Elevators are not required to serve:

(1) floors and mezzanines of nonpatient/nonpublic areas of health care providers where the occupant load is not more than 30 occupants;

(2) floors and mezzanines of nonpublic areas of retail sales and rental facilities where the occupant load is not more than 30 occupants;

(3) floors and mezzanines of nonpublic areas of transportation terminals, depots, airport passenger terminals, and other stations used for specified public transportation where the occupant load is not more than 30 occupants;

(4) floors and mezzanines of nonpublic areas of public facilities where the occupant load is not more than 30 occupants;

(5) mezzanines and balconies of all other occupancies where the occupant load is not more than 30 occupants;

(6) floors, including stories and basements, immediately above or below the level of access of all other occupancies where the occupant load of the floor is not more than 30 occupants; and

(7) press boxes with an aggregate enclosed area of not more than 450 square feet.

Occupant load calculations in subitems (1) to (6) are to be derived from Uniform Building Code Table 10-A.

The elevator exemptions in clauses (1) to (7) do not obviate or limit in any way the obligation to comply with the other accessibility requirements established in this part. For example, floors above or below the accessible ground floor must meet the requirements of parts 1341.0401 to 1341.0488 except for elevator service. If toilet or bathing facilities are provided on a level not served by an elevator, then toilet or bathing facilities must be provided on the accessible ground floor. In new construction, if a building or facility is eligible for exemption but a passenger elevator is nonetheless planned, that elevator shall meet the requirement of part 1341.0436. A passenger elevator that provides service from a garage to only one level of a building or facility is not required to serve other levels.

**EXCEPTION 2:** Elevator pits, elevator penthouses, mechanical and electrical rooms, piping, or equipment catwalks are exempted from this requirement.

**EXCEPTION 3:** Accessible ramps complying with part 1341.0432 may be used instead of an elevator.

**EXCEPTION 4:** Platform lifts (wheelchair lifts) and limited-use/limited-application lifts complying with part 1341.0438 may be used instead of an elevator when approved by the authority having jurisdiction only under the following conditions:

(1) to provide an accessible route to a performing area in an assembly occupancy;

(2) to comply with the wheelchair viewing position line-of-sight and dispersion requirements of part 1341.0482, subpart 3;

(3) to provide access to incidental occupiable spaces and rooms that house no more than five persons, including but not limited to equipment control rooms and projection booths;

(4) to provide access where existing site constraints or other constraints make use of a ramp or an elevator infeasible; and

(5) to provide access to raised judges' benches, clerks' stations, speakers' platforms, jury boxes, and witness stands or to depressed areas such as the well of a court.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

EXCEPTION 5: Elevators located in air traffic control towers are not required to serve the cab and the floor immediately below the cab.

G. ADAAG 4.1.3(7): Doors shall meet the requirements of subitems (1) to (4).

(1) ADAAG 4.1.3(7)(a): At each accessible entrance to a building or facility, at least one door shall comply with part 1341.0442.

(2) ADAAG 4.1.3(7)(b): Within a building or facility, at least one door at each accessible space shall comply with part 1341.0442.

(3) ADAAG 4.1.3(7)(c): Each door that is an element of an accessible route shall comply with part 1341.0442.

(4) ADAAG 4.1.3(7)(d): Each door required by part 1341.0422, subpart 10, shall comply with part 1341.0442.

H. ADAAG 4.1.3(8): The requirements in subitems (1) and (2) shall be satisfied independently.

(1)(a) ADAAG 4.1.3(8)(a)(i): At least 50 percent of all public entrances, excluding those in unit (b), shall comply with part 1341.0444. At least one must be a ground floor entrance. Public entrances are any entrances that are not loading or service entrances.

(b) ADAAG 4.1.3(8)(a)(ii): Accessible entrances must be provided in a number at least equivalent to the number of exits required by the applicable building and fire codes. This unit does not require an increase in the total number of entrances planned for a facility, for example, when the number of code-required exits from the building equals or exceeds the number of proposed entrances, all proposed entrances must be accessible.

(c) ADAAG 4.1.3(8)(a)(iii): An accessible entrance must be provided to each tenancy in a facility, such as individual stores in a strip shopping center.

(d) In detention and correctional facilities subject to parts 1341.1210 to 1341.1260, public entrances that are secured shall be accessible as required by part 1341.1220, subpart 1.

One entrance may be considered as meeting more than one of the requirements in this unit. Where feasible, accessible entrances shall be the entrances used by the majority of people visiting or working in the building.

(2)(a) ADAAG 4.1.3(8)(b)(i): In addition, if direct access is provided for pedestrians from an enclosed parking garage to the building, at least one direct entrance from the garage to the building must be accessible.

(b) ADAAG 4.1.3(8)(b)(ii): If access is provided for pedestrians from a pedestrian tunnel or elevated walkway, one entrance to the building from each tunnel or walkway must be accessible.

(c) Entrances from areas specified in part 1341.0403, item A, must be accessible.

(d) In judicial, legislative, and regulatory facilities subject to parts 1341.1110 to 1341.1130, restricted and secured entrances shall be accessible in the number required by part 1341.1110, item A.

One entrance may be considered as meeting more than one of the requirements in this subitem.

Because entrances also serve as emergency exits whose proximity to all parts of buildings and facilities is essential, it is preferable that all entrances be accessible.

(3) ADAAG 4.1.3(8)(c): If the only entrance to a building, or tenancy in a facility, is a service entrance, that entrance shall be accessible.

(4) ADAAG 4.1.3(8)(d): Entrances that are not accessible shall have directional signage complying with part 1341.0476, subparts 1, 2, 3, and 5, indicating the location of the nearest accessible entrance.

(5) At entrances and exits with security barriers, at least one accessible route complying with part 1341.0422 shall be provided through fixed security barriers at each single barrier or group of security barriers. A group is two or more security barriers immediately adjacent to each other at a single location. If security barriers incorporate equipment such as metal detectors, fluoroscopes, or other similar devices that cannot be made accessible, an accessible route shall be provided adjacent to the security screening devices to facilitate an equivalent circulation path.

I. ADAAG 4.1.3(9): In buildings or facilities, or portions of buildings or facilities, required to be accessible, at least one accessible means of egress shall be provided. If more than one exit is required by Uniform Building Code, chapter 10, at least two accessible means of egress shall be provided. If a required exit from an occupiable level above or below a level of accessible exit discharge is not accessible, an area of rescue assistance shall be provided on each level in a number equal to that of required accessible means of egress. Areas of rescue assistance shall comply with part 1341.0422, subpart 11.

EXCEPTION 1: Accessible means of egress are not required in buildings or facilities having a supervised automatic sprinkler system provided throughout.

EXCEPTION 2: Areas of rescue assistance are not required in open parking garages.

EXCEPTION 3: Accessible means of egress and areas of rescue assistance are not required in alterations to existing buildings.

(1) In buildings and facilities where an accessible floor is four or more stories above or below a level of exit discharge, at least one elevator shall serve as a means of egress. The elevator shall be provided with standby power and shall be accessed from either an area of rescue assistance or a horizontal exit.

EXCEPTION 1: Elevators are not required to be accessed from an area of rescue assistance or horizontal exit in buildings and facilities protected throughout by a supervised automatic sprinkler system.

EXCEPTION 2: Elevators are not required to be accessed from an area of rescue assistance or horizontal exit in open parking garages.

(2) If a platform lift provides the only accessible means of access to an area, the lift shall also serve as a means of egress and shall be provided with motor-generated auxiliary power or battery backup power.

J. ADAAG 4.1.3(10): Drinking fountains shall meet the requirements of subitems (1) and (2).

(1) ADAAG 4.1.3(10)(a): If only one drinking fountain is provided on a floor, there shall be a drinking fountain that is accessible to individuals who use wheelchairs according to part 1341.0446 and one accessible to those who have difficulty bending or stooping. This can be accommodated by the use of a “hi-lo” fountain, by providing one fountain accessible to those who use wheelchairs and one fountain at a standard height convenient for those who have difficulty bending, by providing a fountain accessible under part 1341.0446 and a water cooler, or by another means that would achieve the required accessibility for each group on each floor.

(2) ADAAG 4.1.3(10)(b): If more than one drinking fountain or water cooler is provided on a floor, 50 percent of those provided shall comply with part 1341.0446 and shall be on an accessible route.

K. ADAAG 4.1.3(11): Toilet facilities, bathing facilities, and sinks shall meet the requirements of subitems (1) to (3).

(1) All public and common use toilet rooms, whether or not located on an accessible route, shall comply with part 1341.0460. Other toilet rooms provided for the use of occupants of specific spaces, such as a private toilet room for the occupant of a private office, shall be adaptable. If toilet facilities are provided on a level not served by an accessible route, then toilet facilities must be provided that are located on an accessible route.

EXCEPTION: If three or more unisex or separate-sex, single user facilities are clustered at a single location, at least five percent, but not less than one, at each cluster shall be accessible. Accessible units shall be identified by the International Symbol of Accessibility in Figure 43 in part 1341.0476.

In Group A and M occupancies having an occupant load of more than 1,000 occupants, accessible unisex toilet facilities shall be provided at a rate of one unisex toilet room for each 10,000 occupants or fraction thereof. Fixtures provided in unisex facilities may be included in the minimum number of plumbing fixtures required for the facility. Unisex toilet rooms shall contain one water closet and one lavatory, and the door shall have a privacy latch. Accessible unisex toilet rooms shall be dispersed throughout the facility and shall be located in the same general area as the separate sex facilities.

(2) All public and common use bathing facilities, whether or not located on an accessible route, shall comply with part 1341.0462. If bathing facilities are provided on a level not served by an accessible route, then bathing facilities must be provided that are located on an accessible route.

EXCEPTION: If three or more unisex or separate-sex, single user facilities are clustered at a single location, at least five percent, but not less than one, at each cluster shall be accessible. Accessible units shall be identified by the International Symbol of Accessibility in Figure 43 in part 1341.0476.

If bathing facilities are provided for public and common use in recreational facilities, accessible unisex bathing facilities shall be provided in addition to the separate sex facilities. Fixtures provided in unisex facilities may be included in the minimum number of plumbing fixtures required for the facility. Unisex bathing rooms shall contain one water closet, one lavatory, and one shower or bathtub, and the door shall have a privacy latch. Accessible unisex bathing rooms shall be dispersed throughout the facility and shall be located in the same general area as the separate sex facilities.

EXCEPTION: Unisex bathing facilities are not required in Groups E and I Occupancies.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

(3) In other than toilet and bathing facilities, sinks that are not intended solely for employee use shall comply with part 1341.0464. If the sinks are clustered at a single location, at least five percent, but not less than one, shall be accessible.

**L. ADAAG 4.1.3(12):** Storage, shelving, and display units shall meet the requirements of subitems (1) to (3).

(1) **ADAAG 4.1.3(12)(a):** If fixed or built-in storage facilities such as lockers, cabinets, shelves, closets, and drawers are provided in accessible spaces, at least five percent, but not less than one, of each type provided shall contain storage space complying with part 1341.0466. Additional storage may be provided outside of the dimensions required by part 1341.0466.

(2) **ADAAG 4.1.3(12)(b):** Shelves or display units allowing self-service by customers in mercantile occupancies shall be located on an accessible route complying with part 1341.0422. Requirements for accessible reach range do not apply.

(3) **ADAAG 4.1.3(12)(c):** Self-service storage facilities shall provide accessible individual self-storage spaces according to the following table:

<b>Accessible Self-Service Storage Facilities</b>	
<u>Total Spaces in Facility</u>	<u>Accessible Spaces</u>
1 to 200	5 percent, but not less than 1
201 and over	10, plus 2 percent of total number of units over 200

Accessible individual self-service storage spaces shall be dispersed throughout the various classes of spaces provided. If more classes of spaces are provided than the number of required accessible spaces, the number of accessible spaces shall not be required to exceed the number required by the table in this subitem. Accessible spaces shall be permitted to be dispersed in a single building of a multibuilding facility.

**M. ADAAG 4.1.3(13):** Controls and operating mechanisms in accessible spaces, along accessible routes, or as parts of accessible elements such as light switches and dispenser controls, shall comply with part 1341.0470.

**N. ADAAG 4.1.3(14):** If emergency warning systems are provided, then they shall include both audible alarms and visual alarms complying with part 1341.0472. Sleeping accommodations required to comply with part 1341.0930 shall have an alarm system complying with part 1341.0472. Emergency warning systems in medical care facilities may be modified to suit standard health care alarm design practice.

**O. ADAAG 4.1.3(15):** Detectable warnings shall be provided at locations as specified in part 1341.0474.

**P. ADAAG 4.1.3(16):** Building signage shall meet the requirements of subitems (1) to (3).

(1) **ADAAG 4.1.3(16)(a):** Signs that designate restrooms, room numbers, room names such as named conference rooms, and exit stairways shall comply with part 1341.0476, subparts 1, 4, 5, and 6.

(2) **ADAAG 4.1.3(16)(b):** Other signs that provide direction to or information about functional spaces of the building shall comply with part 1341.0476, subparts 1, 2, 3, and 5.

EXCEPTION: Building directories, menus, and all other signs that are temporary are not required to comply.

(3) The International Symbol of Accessibility in Figure 43 in part 1341.0476 shall be provided at accessible toilet and bathing facilities and areas of rescue assistance.

**Q. ADAAG 4.1.3(17):** Public telephones shall meet the requirements of subitems (1) to (4).

(1) **ADAAG 4.1.3(17)(a):** If public pay telephones, public closed circuit telephones, or other public telephones are provided, they shall comply with part 1341.0478, subparts 2 to 8, to the extent required by the following table:

<u>Number of Each Type of Telephone Provided on Each Floor</u>	<u>Number of Telephones Required to Comply with Part 1341.0478, Subparts 2 to 8<sup>1</sup></u>
1 or more single unit	25 percent but not less than one public telephone
1 bank <sup>2</sup>	25 percent but not less than one public telephone

2 or more banks<sup>2</sup>

25 percent but not less than one public telephone per bank. Accessible unit may be installed as a single unit in proximity, either visible or with signage, to the bank. At least one public telephone per floor shall meet the requirements for a forward reach telephone<sup>3</sup>

<sup>1</sup>Additional public telephones may be installed at any height. Unless otherwise specified, accessible telephones may be either forward or side reach telephones.

<sup>2</sup>A bank consists of two or more adjacent public telephones, often installed as a unit.

<sup>3</sup>EXCEPTION: For exterior installations only, if dial tone first service is available, then a side reach telephone may be installed instead of the required forward reach telephone, for example, one telephone in proximity to each bank shall comply with part 1341.0478.

If public telephones are provided at both an interior and exterior location, the only accessible public telephone, and TTY device, shall not be exterior.

Accessible telephones shall be evenly dispersed throughout the floor.

(2) ADAAG 4.1.3(17)(b): All telephones required to be accessible and complying with part 1341.0478, subparts 2 to 8, shall be equipped with a volume control.

In addition, 25 percent, but not less than one, of all other public telephones provided shall be equipped with a volume control and shall be dispersed among all types of public telephones, including closed circuit telephones, throughout the building or facility. Signage complying with part 1341.0476, subpart 7, shall be provided.

(3) ADAAG 4.1.3(17)(c): Units (a) to (c) shall be provided according to part 1341.0478, subpart 9.

(a) ADAAG 4.1.3(17)(c)(i): Each public telephone required to be accessible by subitem (1) shall be provided with a permanently affixed TTY.

EXCEPTION 1: One permanently affixed TTY may be provided if there are not more than three public telephones provided, including both interior and exterior telephones. However, the distance between public telephones without TTYs and public telephones with TTYs shall not exceed 500 feet. Signage shall be provided at the public telephones not providing a TTY indicating the location of the TTY.

EXCEPTION 2: In small business occupancies that provide not more than one public telephone, the building official may approve the use of a portable TTY complying with part 1341.0478, subpart 9, item B, instead of the permanently affixed device. The TTY device shall be made available by the business entity and the building official must be assured that the TTY is easily accessible and readily available anytime the public telephone is available. Signage shall be provided at the public telephone indicating the location of the portable TTY device.

EXCEPTION 3: Portable TTY devices may be used in inmate portions of Group I, Division 3 Occupancies.

EXCEPTION 4: A permanently affixed TTY device shall not be installed on public telephones designed for front approach.

(b) ADAAG 4.1.3(17)(c)(ii): If an interior public telephone is provided in a stadium or arena, in a convention center, in a hotel with a convention center, or in a covered mall, at least one interior public TTY shall be provided in the facility.

(c) ADAAG 4.1.3(17)(c)(iii): If a public telephone is located in or adjacent to a hospital emergency room, hospital recovery room, or hospital waiting room, one public TTY shall be provided at each location.

(4) ADAAG 4.1.3(17)(d): If a bank of telephones in the interior of a building consists of three or more public telephones, at least one public telephone in each bank shall be equipped with a shelf and outlet in compliance with part 1341.0478, subpart 9, item B, unless a permanently affixed TTY is provided in the bank.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

R. (1) **ADAAG 4.1.3(18)**: If fixed or built-in seating or tables including, but not limited to, computer work stations, study carrels, and student laboratory stations are provided in accessible public or common use areas, at least five percent, but not less than one, of the fixed or built-in seating areas or tables shall comply with part 1341.0480. An accessible route shall lead to and through the fixed or built-in seating areas or tables.

(2) If kitchen areas are provided in classrooms for student or public use, five percent, but not less than one, of the kitchen areas shall comply with the accessible dwelling unit requirements of part 1341.1640, item D. An accessible route shall lead to and through the kitchen areas.

S. **ADAAG 4.1.3(19)**: Assembly areas shall meet the requirements of subitems (1) and (2).

(1) **ADAAG 4.1.3(19)(a)**: In places of assembly with fixed seating, accessible wheelchair locations shall comply with part 1341.0482, subparts 2 to 4, and shall be provided consistent with the following table:

<u>Capacity of Seating in Assembly Areas</u>	<u>Number of Required Wheelchair Locations</u>
<u>4 to 25</u>	<u>1</u>
<u>26 to 50</u>	<u>2</u>
<u>51 to 300</u>	<u>4</u>
<u>301 to 500</u>	<u>6</u>
<u>over 500</u>	<u>6, plus 1 additional space for each total seating capacity increase of 100</u>

In addition, one percent, but not less than one, of all fixed seats shall be aisle seats with no armrests on the aisle side, or removable or folding armrests on the aisle side. Each seat shall be identified by a sign or marker. Signage notifying patrons of the availability of the seats shall be posted at the ticket office. Aisle seats are not required to comply with part 1341.0482, subpart 4.

(2) **ADAAG 4.1.3(19)(b)**: This subitem applies to assembly areas where audible communications are integral to the use of the space, such as concert and lecture halls, playhouses and movie theaters, and meeting rooms. The assembly areas, if they accommodate at least 50 persons, or if they have audio-amplification systems, and if they have fixed seating, shall have a permanently installed assistive listening system complying with part 1341.0482. For other assembly areas, a permanently installed assistive listening system or an adequate number of electrical outlets or other supplementary wiring necessary to support a portable assistive listening system shall be provided. The minimum number of receivers to be provided shall be equal to four percent of the total number of seats, but in no case less than two. Signage complying with part 1341.0476 shall be installed in prominent locations to notify patrons of the availability of a listening system.

T. **ADAAG 4.1.3(20)**: If automated teller machines (ATMs) are provided, each ATM shall comply with part 1341.0484 except if two or more are provided at a location, then only one must comply.

EXCEPTION: Drive-up-only ATMs are not required to comply with parts 1341.0470, subparts 2 and 3; and 1341.0484, subpart 3.

U. **ADAAG 4.1.3(21)**: If dressing and fitting rooms are provided for use by the general public, patients, customers, or employees, five percent, but not less than one, of dressing rooms for each type of use in each cluster of dressing rooms shall be accessible and shall comply with part 1341.0486.

Examples of types of dressing rooms are those serving different genders or distinct and different functions such as different treatment or examination facilities.

V. If common or public use swimming pools, wading pools, and similar facilities are provided, at least one accessible means of entry/exit to the water, by ramp or lift, shall be provided according to part 1341.0488 or, the pool shall have a zero depth entry. Hot tubs, spas, and similar facilities designed for more than four persons shall be accessible according to the swimming pool requirements in this item.

EXCEPTION: Pools used exclusively for diving.

W. If a secured public entry or checkpoint requires communication for identification and passage, the communication system shall provide both visual and audible signals and shall comply with part 1341.0470.

EXCEPTION: Communication systems between a secured main entry and individual dwelling units may be adaptable.

**1341.0409 ADAAG 4.1.5: ACCESSIBLE BUILDINGS; ADDITIONS.**

Each addition to an existing building or facility shall be regarded as new construction. Each space or element added to the existing building or facility shall comply with parts 1341.0401 to 1341.0405, 1341.0420 to 1341.0488, and 1341.0510 to 1341.1640. Each addition shall be located on an accessible route unless technically infeasible or otherwise exempted.

**1341.0411 ADAAG 4.1.6: ACCESSIBLE BUILDINGS; ALTERATIONS.**

Subpart 1. **ADAAG 4.1.6(1): General.** Alterations to existing buildings and facilities shall comply with items A to K.

A. **ADAAG 4.1.6(1)(a):** No alteration shall be undertaken that decreases or has the effect of decreasing accessibility or usability of a building or facility below the requirements for new construction at the time of alteration.

B. **ADAAG 4.1.6(1)(b):** If existing elements, spaces, features, or common areas are altered, then each altered element, space, feature, or common area shall comply with parts 1341.0401 to 1341.0405. If the applicable provision for new construction requires that an element, space, feature, or common area be on an accessible route, the altered element, space, feature, or common area is not required to be on an accessible route except as provided in part 1341.0411, subpart 2.

C. **ADAAG 4.1.6(1)(c):** If alterations of single elements, when considered together, amount to an alteration of at least 85 percent of the square foot area of a room or space in a building or facility, the entire room or space shall be made accessible.

D. **ADAAG 4.1.6(1)(d):** No alteration of an existing element, space, feature, or area of a building or facility shall impose a requirement for greater accessibility than that which would be required for new construction. For example, if the elevators and stairs in a building are being altered and the elevators are, in turn, being made accessible, then no accessibility modifications are required to the stairs connecting levels connected by the elevator. If stair modifications to correct unsafe conditions are required by other sections of the Minnesota State Building Code, and the stairway is required to be accessible, the modifications shall be done in compliance with this chapter unless technically infeasible.

E. **ADAAG 4.1.6(1)(e):** In alterations involving public telephones, all newly installed or relocated public telephones shall be accessible as provided in part 1341.0405, item Q. The number of accessible telephones and TTYs need not exceed the number required for new construction.

F. **ADAAG 4.1.6(1)(f):** If an escalator or stair is planned or installed where none existed previously and major structural modifications are necessary for the installation, then a means of accessible vertical access shall be provided that complies with part 1341.0430, 1341.0432, 1341.0436, or 1341.0438.

G. **ADAAG 4.1.6(1)(g):** In alterations, parts 1341.0405, item I; and 1341.0422, subparts 10 and 11, do not apply.

H. **ADAAG 4.1.6(1)(h):** If a planned alteration entails an alteration to a building entrance required to be accessible by part 1341.0405, item H, the entrance must be made accessible if it is located on an exterior accessible route or if the exterior route can be made accessible to the extent required by part 1341.0411, subpart 2. If a particular entrance is not made accessible, appropriate accessible signage indicating the location of the nearest accessible entrance shall be installed at or near the inaccessible entrance so that a person with disabilities will not be required to retrace the approach route from the inaccessible entrance.

I. **ADAAG 4.1.6(1)(i):** If the alteration work is limited solely to the electrical, mechanical, or plumbing system, or to hazardous material abatement, or automatic sprinkler retrofitting, and does not involve the alteration of any elements or spaces required to be accessible under parts 1341.0401 to 1341.0488, then subpart 2 does not apply.

J. **ADAAG 4.1.6(1)(j):** In alteration work, if compliance with this part is technically infeasible, the alteration shall provide accessibility to the maximum extent feasible. Any elements or features of the building or facility that are being altered and can be made accessible shall be made accessible within the scope of the alteration.

K. **ADAAG 4.1.6(1)(k):** Exceptions to this subpart are given in subitems (1) and (2).

(1) **ADAAG 4.1.6(1)(k)(i):** The installation of an elevator is not required in an altered facility that is exempt from the requirement for an elevator under part 1341.0405, item E.

(2) **ADAAG 4.1.6(1)(k)(ii):** The exemption provided in subitem (1) does not obviate or limit in any way the obligation to comply with the other accessibility requirements established in this chapter. For example, alterations to floors above or below the ground floor must be accessible regardless of whether the altered facility has an elevator. If a facility subject to the elevator exemption in subitem (1) nonetheless has a full passenger elevator, that elevator shall meet, to the maximum extent feasible, the accessibility requirements of this chapter.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language.

## Proposed Rules

---

**Subp. 2. ADAAG 4.1.6(2): Alterations to an area containing a primary function.** In addition to the requirements of subpart 1, an alteration that affects or could affect the usability of or access to an area containing a primary function shall be made to ensure that, to the maximum extent feasible, the path of travel to the altered area and the restrooms, telephones, and drinking fountains serving the altered area meet the requirements of this chapter. The alterations to the path of travel and the restrooms, telephones, and drinking fountains serving the altered area need not exceed 20 percent of the cost of the alteration to the primary function area.

If a tenant is undertaking an alteration, neither the tenant nor the landlord is required to provide accessible facilities in common use areas that are outside the control of the tenant.

Priority for application of the 20 percent cost for the primary function area shall be as follows:

- A. accessible path of travel to the primary function area, such as exterior route, building entrance, interior route, or elevator;
- B. accessible toilet facilities;
- C. accessible parking;
- D. accessible telephones; and
- E. accessible drinking fountains.

If the cost of alterations necessary to make the path of travel to the altered area fully accessible exceeds 20 percent of the cost of the alteration, the path of travel shall be made accessible to the extent that it can be made accessible without exceeding 20 percent of the cost of the alteration.

**Subp. 3. ADAAG 4.1.6(3): Special technical provisions for alterations to existing buildings and facilities.** The provisions in this subpart apply to alterations to existing buildings and facilities.

A. **ADAAG 4.1.6(3)(a):** Curb ramps and interior ramps to be constructed on sites or in existing buildings or facilities where space limitations prohibit the use of a 1:12 slope or less may have slopes and rises as follows:

(1) **ADAAG 4.1.6(3)(a)(i):** a slope between 1:10 and 1:12 is allowed for a maximum rise of six inches (150 mm); and

(2) **ADAAG 4.1.6(3)(a)(ii):** a slope between 1:8 and 1:10 is allowed for a maximum rise of three inches (75 mm). A slope steeper than 1:8 is not allowed.

B. **ADAAG 4.1.6(3)(b):** Full extension of handrails at stairs shall not be required in alterations where the extensions would be hazardous or impossible due to plan configuration.

C. **ADAAG 4.1.6(3)(c):** Subitems (1) and (2) contain the platform size requirements for elevators.

(1) **ADAAG 4.1.6(3)(c)(ii):** If existing shaft configuration or technical infeasibility prohibits strict compliance with part 1341.0436, subpart 9, the minimum car plan dimensions may be reduced by the minimum amount necessary, but in no case shall the inside car area be smaller than 48 inches (1,220 mm) by 48 inches (1,220 mm).

(2) **ADAAG 4.1.6(3)(c)(iii):** Equivalent facilitation may be provided with an elevator car of different dimensions when usability can be demonstrated and when all other elements required to be accessible comply with part 1341.0436. For example, an elevator of 47 inches (1,195 mm) by 69 inches (1,755 mm) with a door opening on the narrow dimension could accommodate the standard wheelchair clearances shown in Figure 4 in part 1341.0420, subpart 4.

D. **ADAAG 4.1.6(3)(d):** Subitems (1) and (2) contain the requirements for doors.

(1) **ADAAG 4.1.6(3)(d)(i):** If it is technically infeasible to comply with the clear opening width requirements of part 1341.0442, subpart 5, a projection of a maximum of five-eighths inch (16 mm) is permitted for the latch side stop.

(2) **ADAAG 4.1.6(3)(d)(ii):** If existing thresholds are three-fourths inch (19 mm) high or less, and have or are modified to have a beveled edge on each side, they may remain.

E. **ADAAG 4.1.6(3)(e):** Subitems (1) to (3) contain the requirements for toilet rooms and bathrooms.

(1) **ADAAG 4.1.6(3)(e)(i):** If it is technically infeasible to comply with part 1341.0460 with respect to the provision of a side transfer toilet, or part 1341.0462 with respect to the provision of a side transfer toilet or accessible shower/bathing facility, or both, at least one unisex toilet room or bathroom shall be provided in an easily accessible, convenient location from the existing facility. Each unisex toilet room shall contain one water closet complying with part 1341.0448 and one lavatory complying with part 1341.0454, and the door shall have a privacy latch.

(2) **ADAAG 4.1.6(3)(e)(ii):** In addition, if it is technically infeasible to alter existing facilities to provide a side transfer stall, as shown in Figure 30(a) in part 1341.0450, subpart 3, or if reduction of the fixture count, such as removal of a water closet in order to create a side transfer stall, would result in less than the minimum number of required plumbing fixtures, an ambulatory stall, as shown in Figure 30(b) in part 1341.0450, subpart 3, shall be provided within the existing toilet facility unless technically infeasible. If the ambulatory stall is the only accessible stall provided on the floor, a minimum of 48 inches (1,220 mm) of clear space shall be provided in front of the water closet unless technically infeasible.

(3) **ADAAG 4.1.6(3)(e)(iii)**: If existing toilet or bathing facilities are being altered and are not made accessible, signage complying with part 1341.0476, subparts 1, 2, 3, 5, and 7, shall be provided indicating the location of the nearest accessible toilet or bathing facility within the facility.

All toilet or bathing facilities not providing a side transfer stall shall provide directional signage indicating the location of the nearest side transfer stall or unisex facility.

**E. ADAAG 4.1.6(3)(f)**: Subitems (1) and (2) contain the requirements for assembly areas.

(1) **ADAAG 4.1.6(3)(f)(i)**: If it is technically infeasible to disperse accessible seating throughout an altered assembly area, accessible seating areas may be clustered. Each accessible seating area shall have provisions for companion seating and shall be located on an accessible route that also serves as a means of emergency egress.

(2) **ADAAG 4.1.6(3)(f)(ii)**: If it is technically infeasible to alter all performing areas to be on an accessible route, at least one of each type of performing area shall be made accessible.

**G. ADAAG 4.1.6(3)(g)**: In alterations, platform lifts (wheelchair lifts) complying with part 1341.0438 and the Minnesota elevator code may be used as part of an accessible route. The use of lifts is not limited to the conditions in exception 4 of part 1341.0405, item E.

**H. ADAAG 4.1.6(3)(h)**: In alterations where technical infeasibility can be demonstrated, one dressing room for each sex on each level shall be made accessible. If only unisex dressing rooms are provided, accessible unisex dressing rooms may be used to comply with this item.

### **1341.0413 ADAAG 4.1.7: ACCESSIBLE BUILDINGS; HISTORIC PRESERVATION.**

**Subpart 1. ADAAG 4.1.7(1): Applicability.**

**A. ADAAG 4.1.7(1)(a)**: Alterations to a qualified historic building or facility shall comply with parts 1341.0401 to 1341.1640, unless it is determined in accordance with the procedures in part 1341.0413, subpart 2, that compliance with the requirements for exterior and interior accessible routes, ramps, entrances, or toilets would threaten or destroy the historic significance of the building or facility, in which case the alternative requirements in part 1341.0413, subpart 3, may be used for the feature.

**B. ADAAG 4.1.7(1)(b)**: “Qualified historic building or facility” means a building or facility that is:

(1) **ADAAG 4.1.7(1)(b)(i)**: listed in or eligible for listing in the National Register of Historic Places; or

(2) **ADAAG 4.1.7(1)(b)(ii)**: designated as historic under an appropriate state or local law.

**Subp. 2. ADA 4.1.7(2): Guidance for altering qualified historic buildings and facilities.** This subpart is not enforceable or incorporated as part of the Minnesota State Building Code but is provided for information and guidance only.

**A. ADAAG 4.1.7(2)(a)**: Subitems (1) and (2) contain alterations to qualified historic buildings and facilities subject to section 106 of the National Historic Preservation Act.

(1) **ADAAG 4.1.7(2)(a)(i)**: Section 106 of the National Historic Preservation Act, *United States Code*, title 16, section 470f, requires that a federal agency with jurisdiction over a federal, federally assisted, or federally licensed undertaking consider the effects of the agency’s undertaking on buildings and facilities listed in or eligible for listing in the National Register of Historic Places and give the advisory council on historic preservation a reasonable opportunity to comment on the undertaking prior to approval of the undertaking.

(2) **ADAAG 4.1.7(2)(a)(ii)**: If alterations are undertaken to a qualified historic building or facility that is subject to section 106 of the National Historic Preservation Act, the federal agency with jurisdiction over the undertaking shall follow the section 106 process. If the state historic preservation officer or advisory council on historic preservation agrees that compliance with the requirements for exterior and interior accessible routes, ramps, entrances, or toilets would threaten or destroy the historic significance of the building or facility, the alternative requirements in subpart 3 may be used for the feature.

**B. ADAAG 4.1.7(2)(b)**: This item contains alterations to qualified historic buildings and facilities not subject to section 106 of the National Historic Preservation Act. If alterations are undertaken to a qualified historic building or facility that is not subject to section 106 of the National Historic Preservation Act, if the entity undertaking the alterations believes that compliance with the requirements for exterior and interior accessible routes, ramps, entrances, or toilets would threaten or destroy the historic significance of the building or facility and that the alternative requirements in subpart 3 should be used for the feature, the entity shall

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

consult with the state historic preservation officer. If the state historic preservation officer agrees that compliance with the accessibility requirements for exterior and interior accessible routes, ramps, entrances, or toilets would threaten or destroy the historical significance of the building or facility, the alternative requirements in subpart 3 may be used.

C. **ADAAG 4.1.7(2)(c):** Interested persons should be invited to participate in the consultation process, including state or local accessibility officials, individuals with disabilities, and organizations representing individuals with disabilities.

D. **ADAAG 4.1.7(2)(d):** If the state historic preservation officer has delegated the consultation responsibility for purposes of this subpart to a local government historic preservation program that has been certified according to section 101(c) of the National Historic Preservation Act of 1966, *United States Code*, title 16, section 470a(c), and implementing regulations, *Code of Federal Regulations*, title 36, section 61.5, the responsibility may be carried out by the appropriate local government body or official.

### Subp. 3. ADAAG 4.1.7(3): Historic preservation; minimum requirements.

A. **ADAAG 4.1.7(3)(a):** At least one accessible route complying with part 1341.0422 from a site access point to an accessible entrance shall be provided.

**EXCEPTION:** A ramp with a slope no greater than 1:6 for a run not to exceed two feet (610 mm) may be used as part of an accessible route to an entrance.

B. **ADAAG 4.1.7(3)(b):** At least one accessible entrance complying with part 1341.0444 that is used by the public shall be provided.

**EXCEPTION:** If it is determined that no entrance used by the public can comply with part 1341.0444, then access at any entrance not used by the general public but open or unlocked with directional signage at the primary entrance may be used. The accessible entrance shall also have a notification system. If security is a problem, remote monitoring may be used.

C. **ADAAG 4.1.7(3)(c):** If toilets are provided, then at least one toilet facility complying with parts 1341.0411 and 1341.0460 shall be provided along an accessible route that complies with part 1341.0422. The toilet facility may be unisex in design.

D. **ADAAG 4.1.7(3)(d):** Accessible routes from an accessible entrance to all publicly used spaces on at least the level of the accessible entrance shall be provided. Access shall be provided to all levels of a building or facility in compliance with part 1341.0401 whenever practical.

E. **ADAAG 4.1.7(3)(e):** Displays and written information and documents should be located where they can be seen by a seated person. Exhibits and signage displayed horizontally, such as in open books, should be no higher than 44 inches (1,120 mm) above the floor surface.

### 1341.0420 ADAAG 4.2: SPACE ALLOWANCE AND REACH RANGES.

Subpart 1. **ADAAG 4.2.1: Wheelchair passage width.** The minimum clear width for single wheelchair passage shall be 32 inches (815 mm) at a point and 36 inches (915 mm) continuously. See Figure 1 in this subpart and Figure 24(e) in part 1341.0442, subpart 5.

FIGURE 1  
MINIMUM CLEAR WIDTH FOR SINGLE WHEELCHAIR

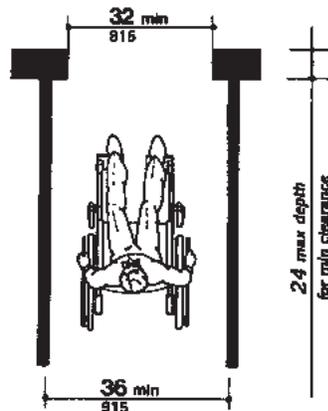


Fig. 1  
Minimum Clear Width  
for Single Wheelchair

Subp. 2. ADAAG 4.2.2: Width for wheelchair passing. The minimum width for two wheelchairs to pass is 60 inches (1,525 mm). See Figure 2.

FIGURE 2  
MINIMUM CLEAR WIDTH FOR TWO WHEELCHAIRS

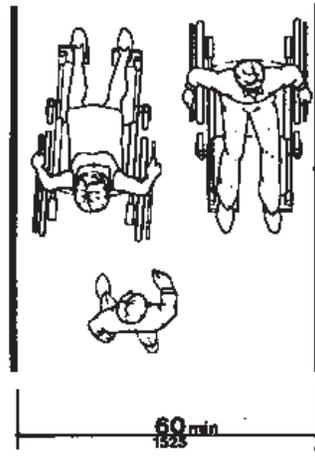


Fig. 2  
Minimum Clear Width  
for Two Wheelchairs

Subp. 3. ADAAG 4.2.3: Wheelchair turning space. The space required for a wheelchair to make a 180-degree turn is a clear space of 60 inches (1,525 mm) in diameter or a T-shaped space. See Figure 3(a) or (b).

FIGURE 3  
WHEELCHAIR TURNING SPACE

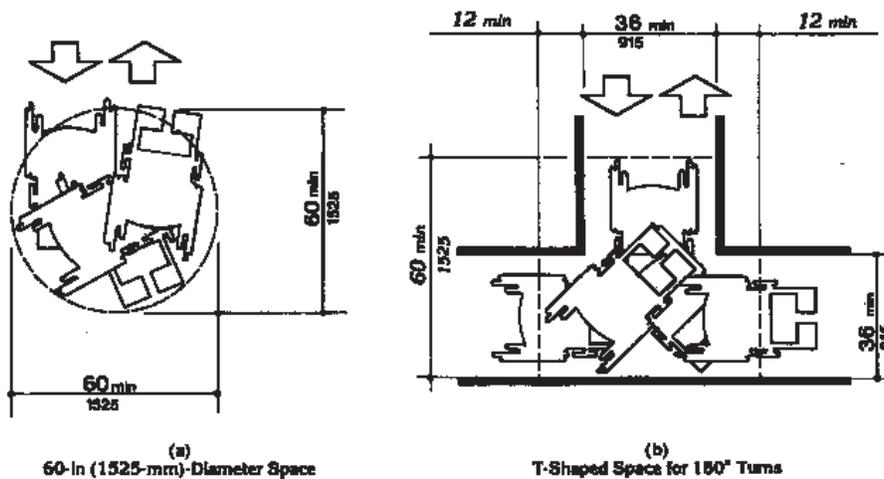


Fig. 3  
Wheelchair Turning Space

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

# Proposed Rules

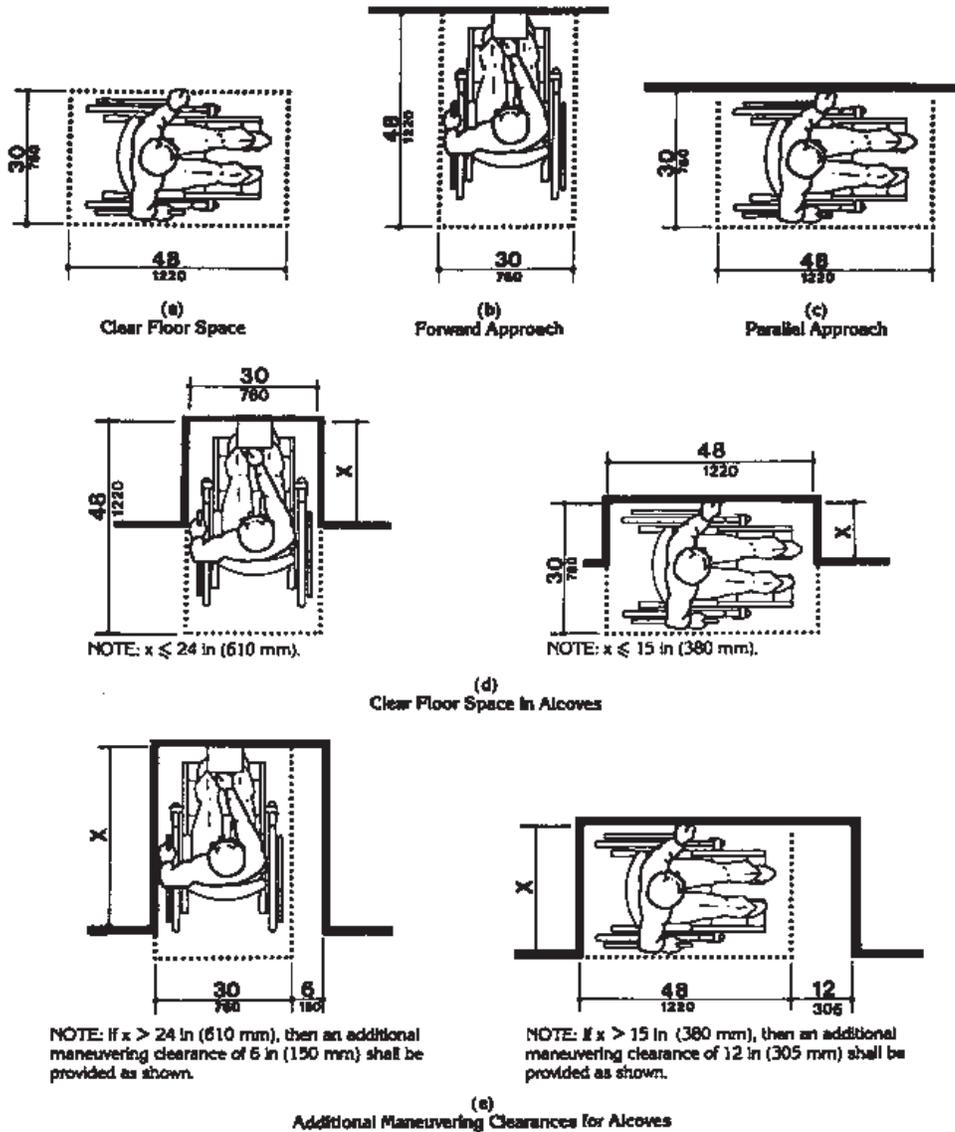
Subp. 4. ADAAG 4.2.4: **Clear floor or ground space for wheelchairs.** This subpart governs clear floor or ground space for wheelchairs.

A. ADAAG 4.2.4.1: The minimum clear floor or ground space required to accommodate a single, stationary wheelchair and occupant is 30 inches (760 mm) by 48 inches (1,220 mm). See Figure 4(a). The minimum clear floor or ground space for wheelchairs may be positioned for forward or parallel approach to an object. See Figures 4(b) and (c). When specified, clear floor or ground space for wheelchairs may be part of the knee space required under some objects.

B. ADAAG 4.2.4.2: One full unobstructed side of the clear floor or ground space for a wheelchair shall adjoin or overlap an accessible route or adjoin another wheelchair clear floor space. If a clear floor space is located in an alcove or otherwise confined on all or part of three sides, additional maneuvering clearances shall be provided as shown in Figures 4(d) and (e).

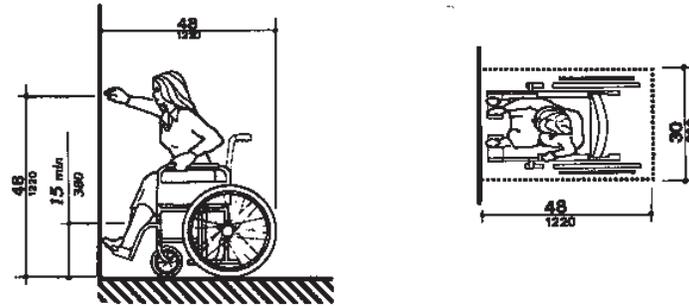
C. ADAAG 4.2.4.3: Clear floor or ground spaces for wheelchairs shall comply with part 1341.0426.

**FIGURE 4  
MINIMUM CLEAR FLOOR SPACE FOR WHEELCHAIRS**

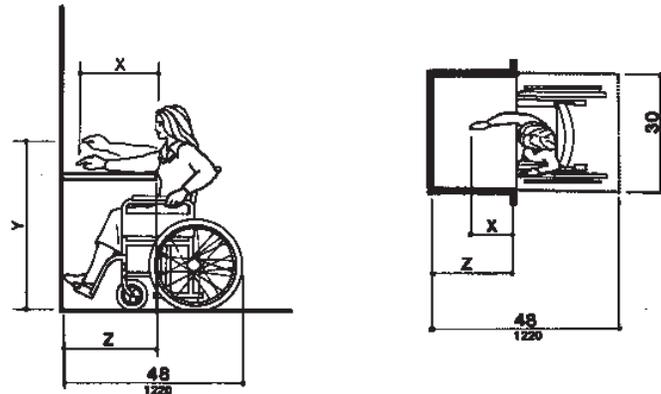


Subp. 5. **ADAAG 4.2.5: Forward reach.** If the clear floor space only allows forward approach to an object, the maximum high forward reach allowed shall be 48 inches (1,220 mm). See Figure 5(a). The minimum low forward reach is 15 inches (380 mm). If the high forward reach is over an obstruction, reach and clearances shall be as shown in Figure 5(b).

FIGURE 5  
FORWARD REACH



(a)  
High Forward Reach Limit



NOTE: x shall be  $\leq$  25 in (635 mm); z shall be  $\geq$  x. When x < 20 in (510 mm), then y shall be 48 in (1220 mm) maximum. When x is 20 to 25 in (510 to 635 mm), then y shall be 44 in (1120 mm) maximum.

(b)  
Maximum Forward Reach over an Obstruction

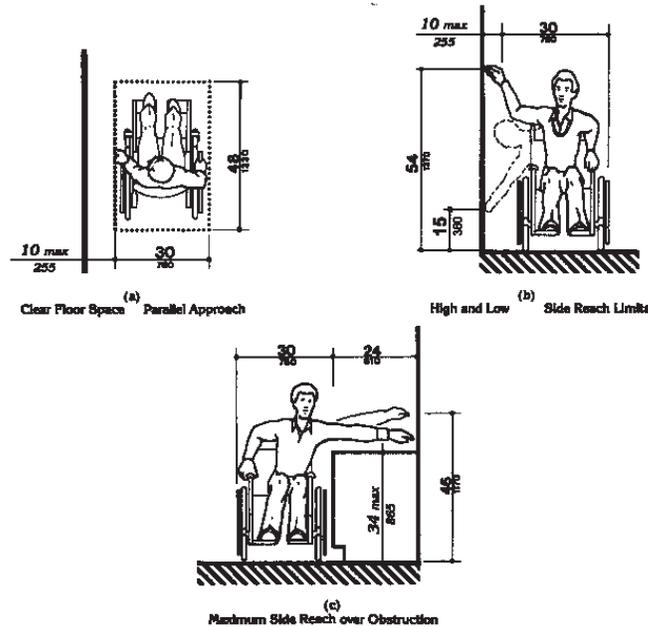
Fig. 5  
Forward Reach

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

Subp. 6. **ADAAG 4.2.6: Side reach.** If the clear floor space allows parallel approach by a person in a wheelchair, the maximum high side reach allowed shall be 54 inches (1,370 mm) and the low side reach shall be no less than 15 inches (380 mm) above the floor. See Figures 6(a) and (b). If the side reach is over an obstruction, the reach and clearances shall be as shown in Figure 6(c).

**FIGURE 6**  
**SIDE REACH**



**Fig. 6**  
**Side Reach**

### **1341.0422 ADAAG 4.3: ACCESSIBLE ROUTE.**

Subpart 1. **ADAAG 4.3.1: General.** All walks, halls, corridors, aisles, skywalks, tunnels, and other spaces that are part of an accessible route shall comply with this part.

Subp. 2. **ADAAG 4.3.2: Location.** This subpart governs location of accessible routes.

**A. ADAAG 4.3.2(1):** At least one accessible route within the boundary of the site shall be provided from public transportation stops, accessible parking, and accessible passenger loading zones, and public streets or sidewalks to the accessible building entrance they serve. The accessible route shall, to the maximum extent feasible, coincide with the route for the general public.

**B. ADAAG 4.3.2(2):** At least one accessible route shall connect accessible buildings, facilities, elements, and spaces that are on the same site.

**C. ADAAG 4.3.2(3):** At least one accessible route shall connect accessible building or facility entrances with all nonexempt spaces and elements within the building or facility.

Subp. 3. **ADAAG 4.3.3: Width.** This subpart governs the width of accessible routes.

**A.** The minimum clear width of an interior accessible route shall be 36 inches (915 mm) except at the doors. See part 1341.0442, subparts 5 and 6. If a person in a wheelchair must make a turn around an obstruction, the minimum clear width of the accessible route shall be as shown in Figures 7(a) and (b).

FIGURE 7  
ACCESSIBLE ROUTE

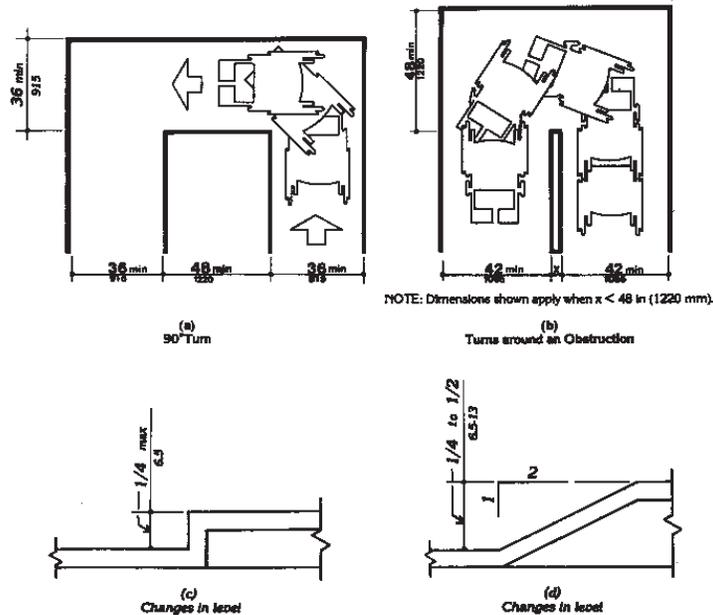


Fig. 7  
Accessible Route

B. The minimum clear width for an exterior accessible route shall be 48 inches (1,220 mm).

Subp. 4. **ADAAG 4.3.4: Passing space.** If an accessible route has less than 60 inches (1,525 mm) clear width, then passing spaces at least 60 inches (1,525 mm) by 60 inches (1,525 mm) shall be located at reasonable intervals not to exceed 200 feet (61 m). A T-intersection of two corridors or walks is an acceptable passing place.

Subp. 5. **ADAAG 4.3.5: Head room.** Accessible routes shall comply with part 1341.0424, subpart 2.

Subp. 6. **ADAAG 4.3.6: Surface textures.** The surface of an accessible route shall comply with part 1341.0426.

Subp. 7. **ADAAG 4.3.7: Slope.** This subpart governs the slope of accessible routes.

A. An accessible route with a running slope greater than 1:20 is a ramp and shall comply with part 1341.0432.

B. An exterior accessible route shall not have a running slope greater than 1:20.

Nowhere shall the cross slope of an accessible route exceed 1:50.

Subp. 8. **ADAAG 4.3.8: Changes in levels.** Changes in levels along an accessible route shall comply with part 1341.0426, subpart 2. If an accessible route has changes in level greater than two inches (51 mm), then a curb ramp, ramp, elevator, or platform lift as permitted in parts 1341.0405 and 1341.0411 shall be provided that complies with part 1341.0430, 1341.0432, 1341.0436, or 1341.0438, respectively. An accessible route does not include stairs, steps, or escalators. See the definition of “egress, accessible means of” in part 1341.0350.

Subp. 9. **ADAAG 4.3.9: Doors.** Doors along an accessible route shall comply with part 1341.0442.

Subp. 10. **ADAAG 4.3.10: Egress.** Accessible routes serving any accessible space or element shall also serve as a means of egress for emergencies or connect to an accessible area of rescue assistance.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language.

## Proposed Rules

---

Subp. 11. ADAAG 4.3.11: Areas of rescue assistance. This subpart governs areas of rescue assistance.

A. ADAAG 4.3.11.1: An area of rescue assistance shall be one of the following:

(1) ADAAG 4.3.11.1(1): a portion of a stairway landing within a smokeproof stair enclosure;

(2) ADAAG 4.3.11.1(2): a portion of an exterior exit balcony located immediately adjacent to an exit stairway when the balcony complies with the exiting requirements of chapter 10 of the UBC. Openings to the interior of the building located within 20 feet (6 m) of the area of rescue assistance shall be protected with fire assemblies having a three-fourths hour fire protection rating;

(3) ADAAG 4.3.11.1(3): a portion of a one-hour fire-resistive corridor located immediately adjacent to an exit enclosure;

(4) ADAAG 4.3.11.1(4): a vestibule located immediately adjacent to an exit enclosure and constructed to the same fire-resistive standards as required for corridors and openings;

(5) ADAAG 4.3.11.1(5): a portion of a stairway landing within an exit enclosure that is vented to the exterior and is separated from the interior of the building with not less than one-hour fire-resistive doors;

(6) ADAAG 4.3.11.1(6): If approved by the building official, an area or a room that is separated from other portions of the building by a smoke barrier. Smoke barriers shall have a fire-resistive rating of not less than one hour and shall completely enclose the area or room. Doors in the smoke barrier shall be tight-fitting smoke- and draft-control assemblies having a fire-protection rating of not less than 20 minutes and shall be self-closing or automatic closing. The area or room shall be provided with an exit directly to an exit enclosure. If the room or area exits into an exit enclosure that is required to be of more than one-hour fire-resistive construction, the room or area shall have the same fire-resistive construction, including the same opening protection, as required for the adjacent exit enclosure; or

(7) ADAAG 4.3.11.1(7): an elevator lobby when elevator shafts and adjacent lobbies are pressurized as required for smokeproof enclosures and when complying with requirements in this part for size, communication, and signage. The pressurization system shall be activated by smoke detectors on each floor located in a manner approved by the building official. Pressurization equipment and its ductwork within the building shall be separated from other portions of the building by a minimum two-hour fire-resistive construction.

B. ADAAG 4.3.11.2: Each area of rescue assistance shall provide at least two accessible areas not less than 30 inches (760 mm) by 48 inches (1,220 mm). The area of rescue assistance shall not encroach on any required exit width. The total number of the 30-inch (760-mm) by 48-inch (1,220-mm) areas per story shall be not less than one for every 200 persons of calculated occupant load served by the area of rescue assistance.

EXCEPTION: The building official may reduce the minimum number of 30-inch (760-mm) by 48-inch (1,220-mm) areas to one for each area of rescue assistance on floors where the occupant load is less than 200.

C. ADAAG 4.3.11.3: Each stairway adjacent to an area of rescue assistance shall have a minimum clear width of 48 inches (1,220 mm) between handrails.

D. ADAAG 4.3.11.4: A method of two-way communication, with both visible and audible signals, shall be provided between each area of rescue assistance and the primary entry. The building official may approve a location other than the primary entry.

E. ADAAG 4.3.11.5: Each area of rescue assistance shall be identified by a sign that states "AREA OF RESCUE ASSISTANCE" and displays the International Symbol of Accessibility in Figure 43 in part 1341.0476. The sign shall be illuminated when exit sign illumination is required. Signage shall also be installed at all inaccessible exits and where otherwise necessary to clearly indicate the direction to areas of rescue assistance. In each area of rescue assistance, instructions on the use of the area under emergency conditions shall be posted adjoining the two-way communication system.

### **1341.0424 ADAAG 4.4: PROTRUDING OBJECTS.**

Subpart 1. ADAAG 4.4.1: General. Objects projecting from walls, such as telephones, with their leading edges between 27 inches (685 mm) and 80 inches (2,030 mm) above the finished floor shall protrude no more than four inches (100 mm) into walks, halls, corridors, passageways, or aisles. See Figure 8(a). Objects mounted with their leading edges at or below 27 inches (685 mm) above the finished floor may protrude any amount. See Figures 8(a) and (b). Free-standing objects mounted on posts or pylons may overhang a maximum of 12 inches (305 mm) from 27 inches (685 mm) to 80 inches (2,030 mm) above the ground or finished floor. See Figures 8(c) and (d). Protruding objects shall not reduce the clear width of an accessible route or maneuvering space. See Figure 8(e).

FIGURE 8  
PROTRUDING OBJECTS

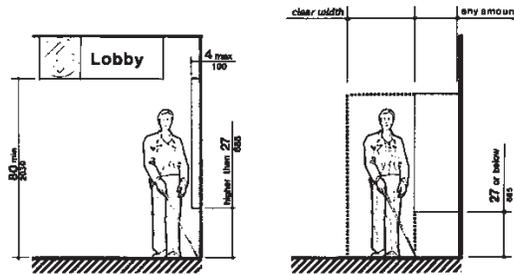


Fig. 8 (a)  
Walking Parallel to a Wall

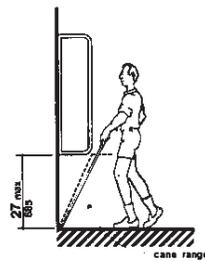


Fig. 8 (b)  
Walking Perpendicular to a Wall

Fig. 8  
Protruding Objects

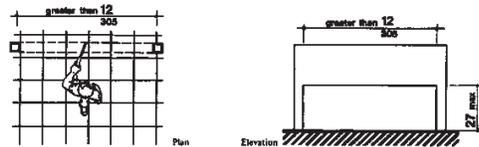


Fig. 8 (c) Free-Standing Overhanging Objects

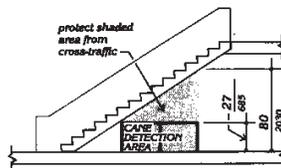


Fig. 8 (c-1) Overhead Hazards

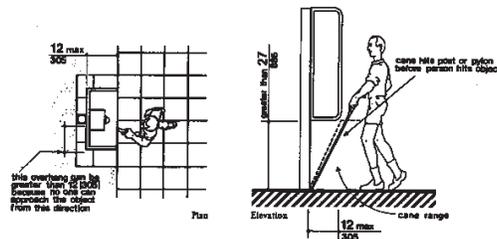


Fig. 8 (d)  
Objects Mounted on Posts or Pylons

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

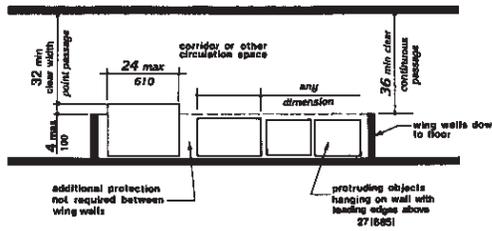


Fig. 8 (e)  
Example of Protection around Wall-Mounted Objects and Measurements of Clear Widths

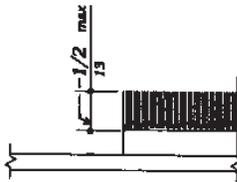


Fig. 8 (f)  
Carpet Pile Thickness

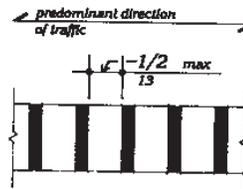


Fig. 8 (g)  
Gratings

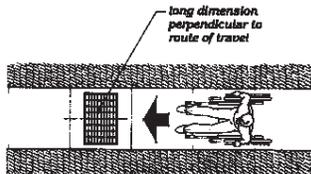


Fig. 8 (h)  
Grating Orientation

Subp. 2. **ADAAG 4.4.2: Head room.** Walks, halls, corridors, passageways, aisles, or other circulation spaces shall have 80 inches (2,030 mm) minimum clear head room. See Figure 8(a) in subpart 1. If vertical clearance of an area adjoining an accessible route is reduced to less than 80 inches (2,050 mm), nominal dimension, a barrier to warn blind or visually-impaired persons shall be provided. See Figure 8(c-1) in subpart 1.

**1341.0426 ADAAG 4.5: GROUND AND FLOOR SURFACES.**

Subpart 1. **ADAAG 4.5.1: General.** Ground and floor surfaces along accessible routes and in accessible rooms and spaces including floors, walks, ramps, stairs, and curb ramps shall be stable, firm, and slip-resistant, and shall comply with this part.

Subp. 2. **ADAAG 4.5.2: Changes in level.** Changes in level up to one-quarter inch (6 mm) may be vertical and without edge treatment. See Figure 7(c) in part 1341.0422, subpart 3. Changes in level between one-quarter inch (6 mm) and one-half inch (13 mm) shall be beveled with a slope no greater than 1:2. See Figure 7(d) in part 1341.0422, subpart 3. Changes in level greater than one-half inch (13 mm) shall be accomplished by means of a ramp that complies with part 1341.0430 or 1341.0432.

Subp. 3. **ADAAG 4.5.3: Carpet.** If carpet or carpet tile is used on a ground or floor surface, then it shall be securely attached; have a firm cushion, pad, or backing, or no cushion or pad; and have a level loop, textured loop, level cut pile, or level cut or uncut pile texture. The maximum pile thickness shall be one-half inch (13 mm). See Figure 8(f) in part 1341.0424, subpart 1. Exposed edges of carpet shall be fastened to floor surfaces and have trim along the entire length of the exposed edge. Carpet edge trim shall comply with subpart 2.

Subp. 4. **ADAAG 4.5.4: Gratings.** Gratings located in walking surfaces shall have spaces no greater than one-half inch (13 mm) wide in one direction. See Figure 8(g) in part 1341.0424, subpart 1. Gratings with elongated openings shall be placed so that the long dimension is perpendicular to the dominant direction of travel. See Figure 8(h) in part 1341.0424, subpart 1.

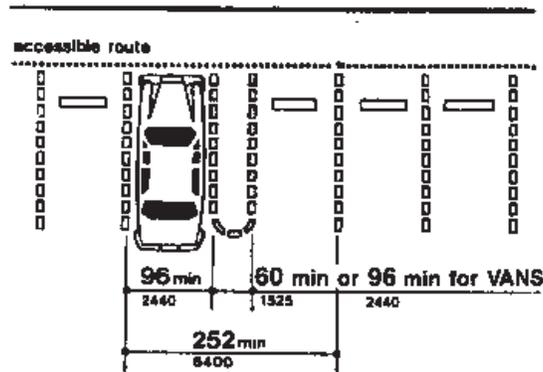
**1341.0428 ADAAG 4.6: PARKING AND PASSENGER LOADING ZONES.**

Subpart 1. **ADAAG 4.6.1: Minimum number.** Parking spaces required to be accessible by part 1341.0401 shall comply with part 1341.0428, subparts 2 to 5. Passenger loading zones required to be accessible by part 1341.0401 shall comply with part 1341.0428, subparts 5 and 6.

Subp. 2. **ADAAG 4.6.2: Location.** Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

Subp. 3. **ADAAG 4.6.3: Parking spaces.** Accessible parking spaces shall be at least 96 inches (2,440 mm) wide. Parking access aisles shall be part of an accessible route to the building or facility entrance and shall comply with part 1341.0422. Two accessible parking spaces may share a common access aisle. See Figure 9. Access aisles shall be marked to discourage parking in them. Parked vehicle overhangs shall not reduce the clear width of an accessible route. The location of an accessible route in Figure 9 is the preferred location, not the required location. Parking spaces and access aisles shall be level with surface slopes not exceeding 1:50 (two percent) in all directions.

**FIGURE 9  
DIMENSIONS OF PARKING SPACES**



**Fig. 9  
Dimensions of Parking Spaces**

Subp. 4. **ADAAG 4.6.4: Signage.** Accessible parking spaces shall be designated as reserved by a sign showing the symbol of accessibility in part 1341.0476, subpart 7, and complying with *Minnesota Statutes*, section 169.346, subdivision 2, paragraph (a). Spaces complying with part 1341.0403, item E, subitem (2), shall have an additional van-accessible sign mounted below the symbol of accessibility. Signs designating accessible parking spaces shall be centered on the head end of the space, located a maximum of 96 inches (2,440 mm) from the head of the space and be mounted from 48 inches (1,200 mm) to 60 inches (1,525 mm) between the bottom of the sign and the parking surface. The line of sight, from the driver's position of a vehicle parked in the space to the sign, shall not be obscured by permanent or temporary objects.

Subp. 5. **ADAAG 4.6.5: Vertical clearance.** Minimum vertical clearance of 114 inches (2,895 mm) shall be provided at accessible passenger loading zones and along at least one vehicle access route to the areas from site entrances and exits. At parking spaces complying with part 1341.0403, item E, subitem (2), minimum vertical clearance of 98 inches (2,490 mm) shall be provided at the parking space and along at least one vehicle access route to the spaces from site entrances and exits.

Subp. 6. **ADAAG 4.6.6: Passenger loading zones.** Passenger loading zones shall provide an access aisle at least 60 inches (1,525 mm) wide and 240 inches (6,100 mm) long adjacent and parallel to the vehicle pull-up space. See Figure 10. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp complying with part 1341.0430 shall be provided. Vehicle standing spaces and access aisles shall be level with surface slopes not exceeding 1:50 (two percent) in all directions.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

FIGURE 10  
ACCESS AISLE AT PASSENGER LOADING ZONES

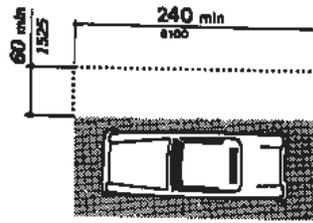


Fig. 10  
Access Aisle at Passenger Loading Zones

**1341.0430 ADAAG 4.7: CURB RAMPS.**

Subpart 1. ADAAG 4.7.1: Location. Curb ramps complying with this part shall be provided wherever an accessible route crosses a curb.

Subp. 2. ADAAG 4.7.2: Slope. Slopes of curb ramps shall comply with part 1341.0432, subpart 2. The slope shall be measured as shown in Figure 11. Transitions from ramps to walks, gutters, or streets shall be flush and free of abrupt changes. Maximum slopes of adjoining gutters, road surface immediately adjacent to the curb ramp, or accessible route shall not exceed 1:20.

FIGURE 11  
MEASUREMENT OF CURB RAMP SLOPES

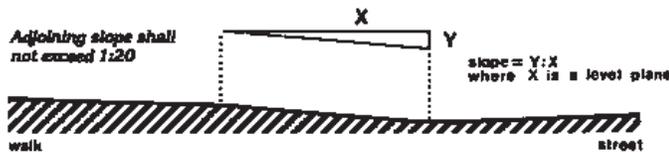


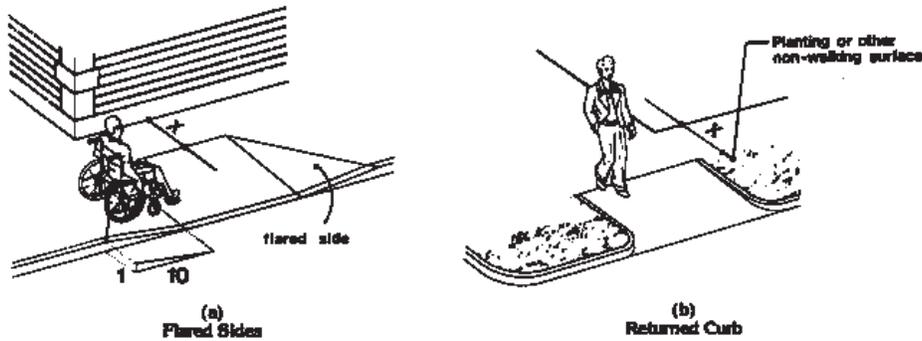
Fig. 11  
Measurement of Curb Ramp Slopes

Subp. 3. ADAAG 4.7.3: Width. The minimum width of a curb ramp shall be 36 inches (915 mm), exclusive of flared sides.

Subp. 4. ADAAG 4.7.4: Surface. Surfaces of curb ramps shall comply with part 1341.0426.

Subp. 5. ADAAG 4.7.5: Sides of curb ramps. If a curb ramp is located where pedestrians must walk across the ramp, or where it is not protected by handrails or guardrails, it shall have flared sides. The maximum slope of the flare shall be 1:10. See Figure 12(a). Curb ramps with returned curbs may be used where pedestrians would not normally walk across the ramp. See Figure 12(b).

FIGURE 12  
SIDES OF CURB RAMPS



If X is less than 48 in., then the slope of the flared side shall not exceed 1:12.

Fig. 12  
Sides of Curb Ramps

Subp. 6. **ADAAG 4.7.6: Built-up curb ramps.** Built-up curb ramps shall be located so that they do not project into vehicular traffic lanes or access aisles. See Figure 13.

FIGURE 13  
BUILT-UP CURB RAMP

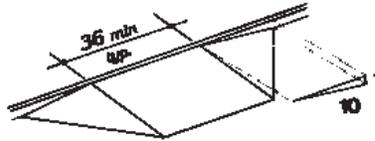


Fig. 13  
Built-Up Curb Ramp

Subp. 8. **ADAAG 4.7.8: Obstructions.** Curb ramps shall be located or protected to prevent their obstruction by parked vehicles.

Subp. 9. **ADAAG 4.7.9: Location at marked crossings.** Curb ramps at marked crossings shall be wholly contained within the markings, excluding any flared sides. See Figure 15.

FIGURE 15  
CURB RAMPS AT MARKED CROSSINGS

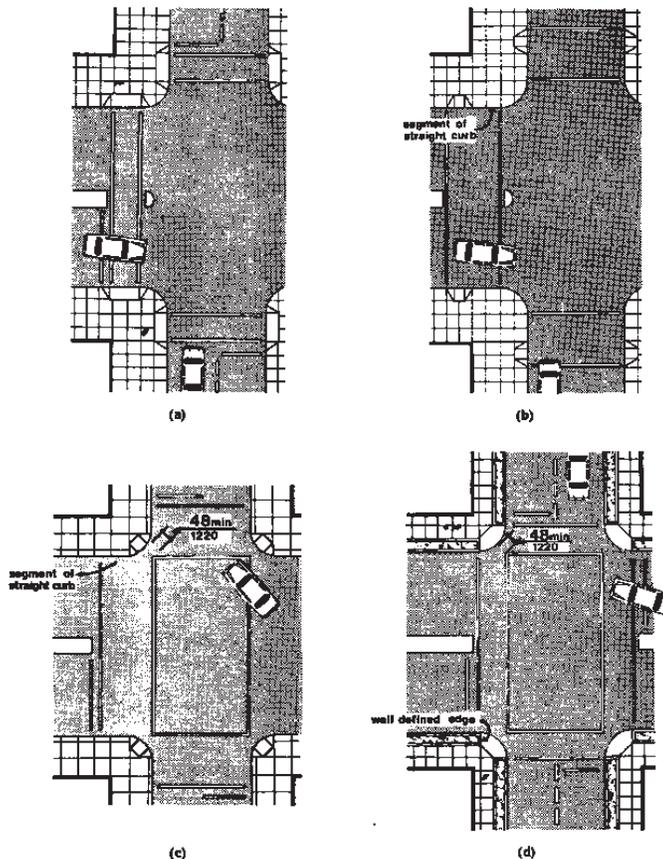


Fig. 15  
Curb Ramps at Marked Crossings

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

**Subp. 10. ADAAG 4.7.10: Diagonal curb ramps.** If diagonal or corner type curb ramps have returned curbs or other well-defined edges, the edges shall be parallel to the direction of pedestrian flow. The bottom of diagonal curb ramps shall have a minimum of 48 inches (1,220 mm) of clear space as shown in Figures 15(c) and (d) in subpart 9. If diagonal curb ramps are provided at marked crossings, the 48-inch (1,220-mm) clear space shall be within the markings. See Figures 15(c) and (d) in subpart 9. If diagonal curb ramps have flared sides, they shall also have at least a 24-inch (610-mm) long segment of straight curb located on each side of the curb ramp and within the marked crossing. See Figure 15(c) in subpart 9.

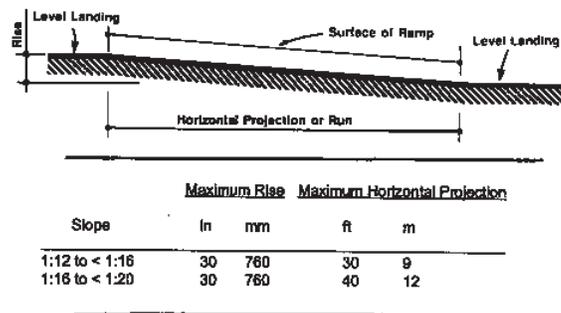
**Subp. 11. ADAAG 4.7.11: Islands.** Any raised islands in crossings shall be cut through level with the street or have curb ramps at both sides and a level area at least 48 inches (1,220 mm) long between the curb ramps in the part of the island intersected by the crossings. See Figures 15(a) and (b) in subpart 9.

### 1341.0432 ADAAG 4.8: RAMPS.

**Subpart 1. ADAAG 4.8.1: General.** Any part of an accessible route with a slope greater than 1:20 shall be considered a ramp and shall comply with this part.

**Subp. 2. ADAAG 4.8.2: Slope and rise.** The least possible slope shall be used for any ramp. The maximum slope of a ramp in new construction shall be 1:12. The maximum rise for any run shall be 30 inches (760 mm). See Figure 16. Curb ramps and ramps to be constructed in existing buildings or facilities may have slopes and rises as allowed in part 1431.0411, subpart 3, item A, if space limitations prohibit the use of a 1:12 slope or less.

**FIGURE 16**  
**COMPONENTS OF A SINGLE RAMP RUN AND SAMPLE RAMP DIMENSIONS**



**Fig. 16**  
**Components of a Single Ramp Run and Sample Ramp Dimensions**

**Subp. 3. ADAAG 4.8.3: Clear width.** The minimum clear width of a ramp shall be 36 inches (915 mm).

**Subp. 4. ADAAG 4.8.4: Landings.** Ramps shall have level landings at the bottom and top of each ramp and each ramp run. Landings shall have the features in items A to D.

**A. ADAAG 4.8.4(1):** The landing shall be at least as wide as the ramp run leading to it.

**B. ADAAG 4.8.4(2):** The landing length shall be a minimum of 60 inches (1,525 mm) clear.

**C. ADAAG 4.8.4(3):** If ramps change direction at landings, the minimum landing size shall be 60 inches (1,525 mm) by 60 inches (1,525 mm).

**D. ADAAG 4.8.4(4):** If a doorway is located at a landing, then the area in front of the doorway shall comply with part 1341.0442, subpart 6.

**Subp. 5. ADAAG 4.8.5: Handrails.** A ramp run that has a rise greater than six inches (150 mm) or a horizontal projection greater than 72 inches (1,830 mm) shall have handrails on both sides. Handrails are not required on curb ramps or adjacent to seating in assembly areas. Handrails shall comply with part 1341.0468 and shall have the features in items A to G.

**A. ADAAG 4.8.5(1):** Handrails shall be provided along both sides of ramp segments. The inside handrail on switchback or dogleg ramps shall always be continuous.

**B. ADAAG 4.8.5(2):** If handrails are not continuous, they shall extend at least 12 inches (305 mm) beyond the top and bottom of the ramp segment and shall be parallel with the floor or ground surface. See Figure 17.

FIGURE 17  
EXAMPLES OF EDGE PROTECTION AND HANDRAIL EXTENSIONS

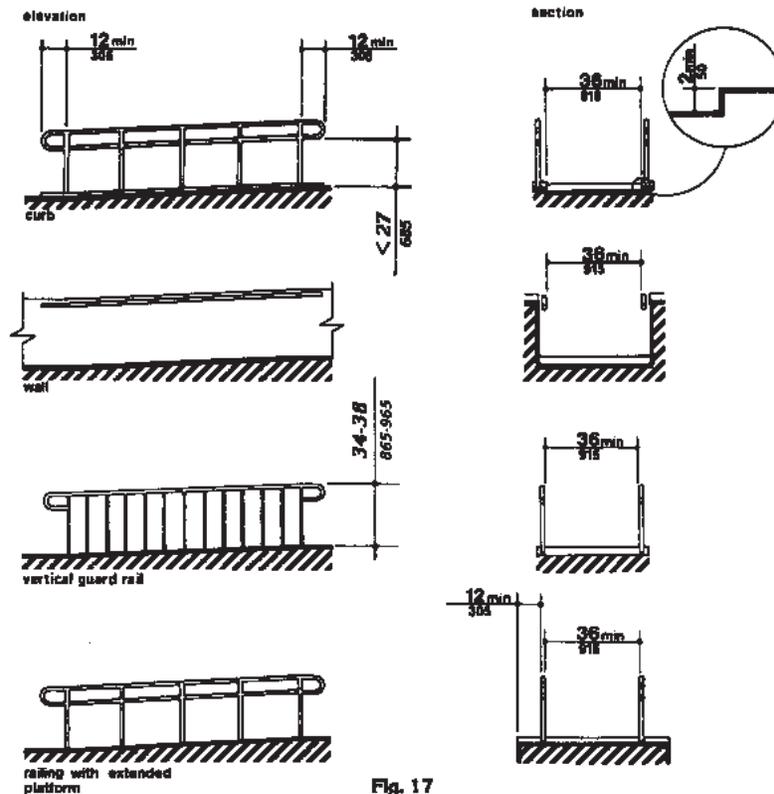


Fig. 17  
Examples of Edge Protection and Handrail Extensions

C. ADAAG 4.8.5(3): The clear space between the handrail and the wall shall be a minimum of 1-1/2 inches (38 mm).

D. ADAAG 4.8.5(4): Gripping surfaces shall be continuous.

E. ADAAG 4.8.5(5): Top of handrail gripping surfaces shall be mounted between 34 inches (865 mm) and 38 inches (965 mm) above ramp surfaces.

F. ADAAG 4.8.5(6): Ends of handrails shall be either rounded or returned smoothly to floor, wall, or post.

G. ADAAG 4.8.5(7): Handrails shall not rotate within their fittings.

Subp. 6. ADAAG 4.8.6: Cross slope and surfaces. The cross slope of ramp surfaces shall be no greater than 1:50. Ramp surfaces shall comply with part 1341.0426.

Subp. 7. ADAAG 4.8.7: Edge protection. Ramps and landings with drop-offs shall have curbs, walls, railings, or projecting surfaces that prevent people from slipping off the ramp. Curbs shall be a minimum of two inches (50 mm) high. See Figure 17 in subpart 5.

#### 1341.0434 ADAAG 4.9: STAIRS.

Subpart 1. ADAAG 4.9.1: Minimum number. Stairs required to be accessible by part 1341.0401 shall comply with this part.

Subp. 2. ADAAG 4.9.2: Treads and risers. On any given flight of stairs, all steps shall have uniform riser heights and uniform tread widths. Stair treads shall be no less than 11 inches (280 mm) wide, measured from riser to riser. See Figure 18(a). Open risers are not permitted.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

FIGURE 18  
 USABLE TREAD WIDTH AND EXAMPLES OF ACCEPTABLE NOSINGS

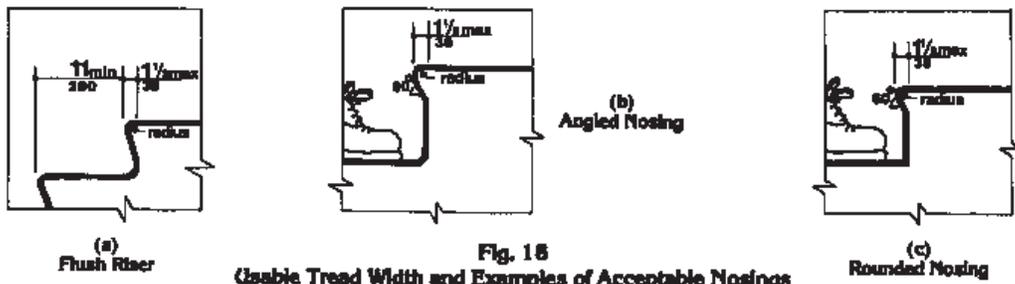


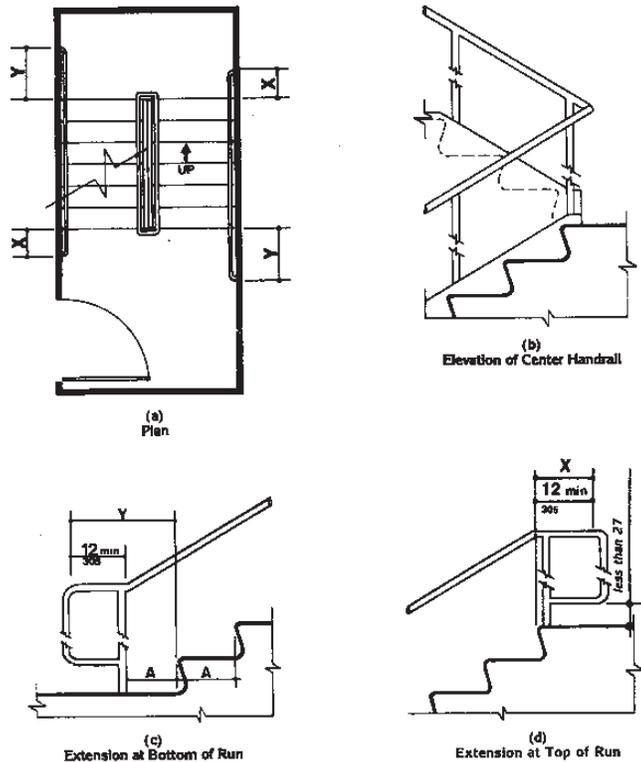
Fig. 18  
 Usable Tread Width and Examples of Acceptable Nosings

Subp. 3. ADAAG 4.9.3: Nosings. The undersides of nosings shall not be abrupt. The radius of curvature at the leading edge of the tread shall be no greater than two inches (51 mm). Risers shall be sloped or the underside of the nosing shall have an angle not less than 60 degrees from the horizontal. Nosings shall project no more than 1-1/2 inches (38 mm). See Figure 18 in subpart 2.

Subp. 4. ADAAG 4.9.4: Handrails. Stairways shall have handrails at both sides of all stairs. Handrails shall comply with part 1341.0468 and shall have the features in items A to G.

A. ADAAG 4.9.4(1): Handrails shall be continuous along both sides of stairs. The inside handrail on switchback or dogleg stairs shall always be continuous. See Figures 19(a) and (b).

FIGURE 19  
 STAIR HANDRAILS



NOTE:  
 X is the 12 in minimum handrail extension required at each top riser.  
 Y is the minimum handrail extension of 12 in plus the width of one tread that is required at each bottom riser.

Fig. 19  
 Stair Handrails

B. ADAAG 4.9.4(2): If handrails are not continuous, they shall extend at least 12 inches (305 mm) beyond the top riser and at least 12 inches (305 mm) plus the width of one tread beyond the bottom riser. At the top, the extension shall be parallel with the floor or ground surface. At the bottom, the handrail shall continue to slope for a distance of the width of one tread from the bottom riser. The remainder of the extension shall be horizontal. See Figures 19(c) and (d) in item A. Handrail extensions shall comply with part 1341.0424.

C. ADAAG 4.9.4(3): The clear space between handrails and the wall shall be a minimum of 1-1/2 inches (38 mm).

D. ADAAG 4.9.4(4): Gripping surfaces shall be uninterrupted by newel posts, other construction elements, or obstructions.

E. ADAAG 4.9.4(5): The top of the handrail gripping surface shall be mounted between 34 inches (865 mm) and 38 inches (965 mm) above the stair nosings.

F. ADAAG 4.9.4(6): The ends of handrails shall be either rounded or returned smoothly to floor, wall or post.

G. ADAAG 4.9.4(7): Handrails shall not rotate within their fittings.

Subp. 6. ADAAG 4.9.6: Outdoor conditions. Outdoor stairs and their approaches shall be designed so that water will not accumulate on walking surfaces.

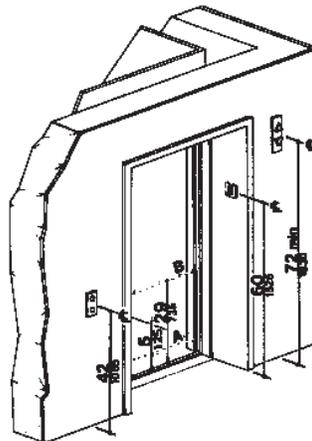
**1341.0436 ADAAG 4.10: ELEVATORS.**

Subpart 1. ADAAG 4.10.1: General. Accessible elevators shall be on an accessible route and shall comply with this part and chapter 1307. Freight elevators shall not be considered as meeting the requirements of this part unless the only elevators provided are used as combination passenger and freight elevators for the public and employees.

Subp. 2. ADAAG 4.10.2: Automatic operation. Elevator operation shall be automatic. Each car shall be equipped with a self-leveling feature that will automatically bring the car to floor landings within a tolerance of one-half inch (13 mm) under rated loading to zero loading conditions. This self-leveling feature shall be automatic and independent of the operating device and shall correct the overtravel or undertravel.

Subp. 3. ADAAG 4.10.3: Hall call buttons. Call buttons in elevator lobbies and halls shall be centered at 42 inches (1.065 mm) above the floor. The call buttons shall have visual signals to indicate when each call is registered and when each call is answered. Call buttons shall be a minimum of three-fourths inch (19 mm) in the smallest dimension. The button designating the up direction shall be on top. See Figure 20. Buttons shall be raised or flush. Objects mounted beneath hall call buttons shall not project into the elevator lobby more than four inches (100 mm).

**FIGURE 20  
HOISTWAY AND ELEVATOR ENTRANCES**



NOTE: The automatic door reopening device is activated if an object passes through either line A or line B. Line A and line B represent the vertical locations of the door reopening device not requiring contact.

**Fig. 20  
Hoistway and Elevator Entrances**

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

**Subp. 4. ADAAG 4.10.4: Hall lanterns.** A visible and audible signal shall be provided at each hoistway entrance to indicate which car is answering a call. Audible signals shall sound once for the up direction and twice for the down direction or shall have verbal annunciators that say "up" or "down." Visible signals shall have the features in items A to C.

**A. ADAAG 4.10.4(1):** Hall lantern fixtures shall be mounted so that their centerline is at least 72 inches (1,830 mm) above the lobby floor. See Figure 20 in subpart 3.

**B. ADAAG 4.10.4(2):** Visual elements shall be at least 2-1/2 inches (64 mm) in the smallest dimension.

**C. ADAAG 4.10.4(3):** Signals shall be visible from the vicinity of the hall call button. See Figure 20 in subpart 3. In-car lanterns located in cars, visible from the vicinity of hall call buttons, and conforming to the requirements in this subpart, shall be acceptable.

**Subp. 5. ADAAG 4.10.5: Raised and Braille characters on hoistway entrances.** All elevator hoistway entrances shall have raised and Braille floor designations provided on both jambs. The centerline of the characters shall be 60 inches (1,525 mm) above the finished floor. The characters shall be two inches (50 mm) high and shall comply with part 1341.0476, subpart 4. Permanently applied plates are acceptable if they are permanently fixed to the jambs. See Figure 20 in subpart 3.

**Subp. 6. ADAAG 4.10.6: Door protective and reopening device.** Elevator doors shall open and close automatically. They shall be provided with a reopening device that will stop and reopen a car door and hoistway door automatically if the door becomes obstructed by an object or person. The device shall be capable of completing these operations without requiring contact for an obstruction passing through the opening at heights of five inches (125 mm) and 29 inches (735 mm) above the finished floor. See Figure 20 in subpart 3. Door reopening devices shall remain effective for at least 20 seconds. After such an interval, doors may close according to chapter 1307.

**Subp. 7. ADAAG 4.10.7: Door and signal timing for hall calls.** The minimum acceptable time from notification that a car is answering a call until the doors of that car start to close shall be calculated from the following equation:

$$T \equiv D/(1.5 \text{ ft/s}) \text{ or } T \equiv D/(445 \text{ mm/s})$$

where T is the total time in seconds and D is the distance in feet or millimeters from a point in the lobby or corridor 60 inches (1,525 mm) directly in front of the farthest call button controlling that car to the centerline of its hoistway door. See Figure 21. For cars with in-car lanterns, T begins when the lantern is visible from the vicinity of the hall call buttons and an audible signal is sounded. The minimum acceptable notification time is five seconds.

FIGURE 21  
GRAPH OF TIMING EQUATION

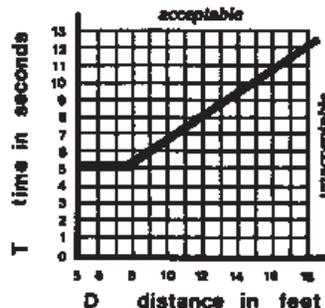


Fig. 21  
Graph of Timing Equation

**Subp. 8. ADAAG 4.10.8: Door delay for car calls.** The minimum time for elevator doors to remain fully open in response to a car call shall be three seconds.

**Subp. 9. ADAAG 4.10.9: Floor plan of elevator cars.** The floor area of elevator cars shall provide space for wheelchair users to enter the car, maneuver within reach of the controls, and exit from the car. The minimum platform size in relation to the door opening shall be as shown in Figure 22. The clearance between the car platform sill and the edge of any hoistway landing shall be no greater than 1-1/4 inches (32 mm).

FIGURE 22  
MINIMUM DIMENSIONS OF ELEVATOR CARS

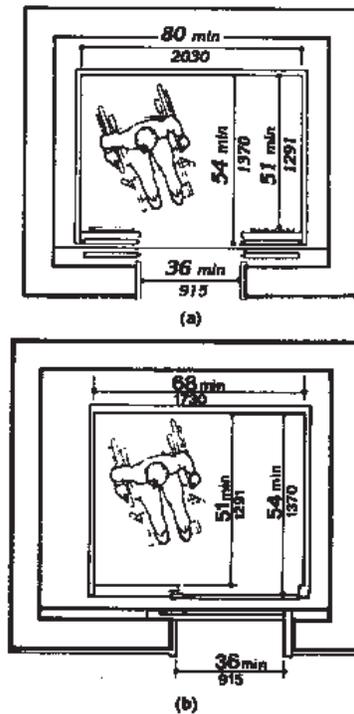


Fig. 22  
Minimum Dimensions of Elevator Cars

Subp. 10. ADAAG 4.10.10: Floor surfaces. Floor surfaces shall comply with part 1341.0426.

Subp. 11. ADAAG 4.10.11: Illumination levels. The level of illumination at the car controls, platform, and car threshold and landing sill shall be at least five footcandles (53.8 lux).

Subp. 12. ADAAG 4.10.12: Car controls. Elevator control panels shall have the features in items A to D.

A. ADAAG 4.10.12(1): All control buttons shall be at least three-fourths inch (19 mm) in their smallest dimension. They shall be raised or flush.

B. ADAAG 4.10.12(2): All control buttons shall be designated by Braille and by raised standard alphabet characters for letters, arabic characters for numerals, or standard symbols as shown in Figure 23(a), and as required in chapter 1307. Raised and Braille characters and symbols shall comply with part 1341.0476. The call button for the main entry floor shall be designated by a raised star at the left of the floor designation. See Figure 23(a). All raised designations for control buttons shall be placed immediately to the left of the button to which they apply. Applied plates, permanently attached, are an acceptable means to provide raised control designations. Floor buttons shall be provided with visual indicators to show when each call is registered. The visual indicators shall be extinguished when each call is answered.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

FIGURE 23  
CAR CONTROLS

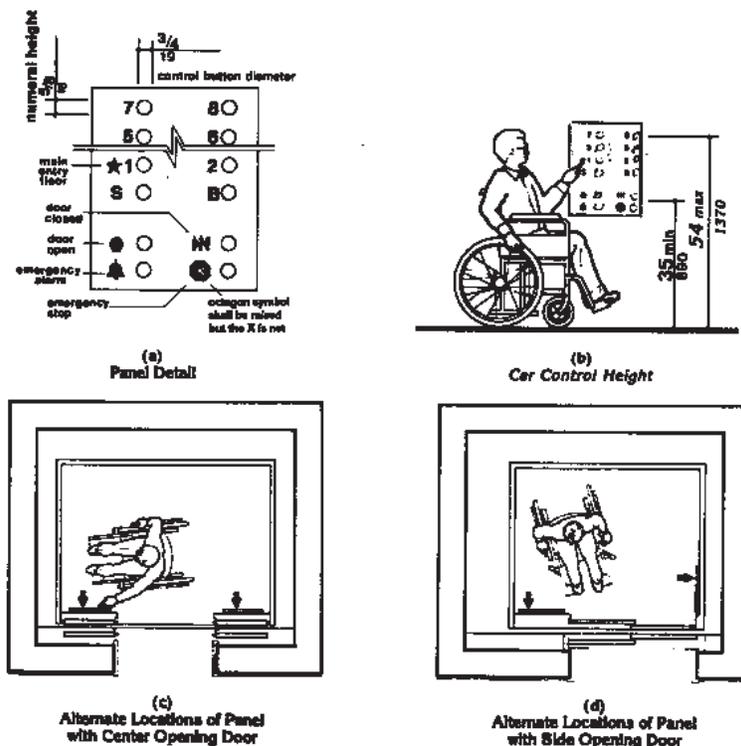


Fig. 23  
Car Controls

C. ADAAG 4.10.12(3): All floor buttons shall be no higher than 54 inches (1,370 mm) above the finished floor for side approach and 48 inches (1,220 mm) for front approach. Emergency controls, including the emergency alarm and emergency stop, shall be grouped at the bottom of the panel and shall have their centerlines no less than 35 inches (890 mm) above the finished floor. See Figures 23(a) and (b) in item B.

D. ADAAG 4.10.12(4): Controls shall be located on a front wall if cars have center opening doors, and at the side wall or at the front wall next to the door if cars have side opening doors. See Figures 23(c) and (d) in item B.

Subp. 13. ADAAG 4.10.13: Car position indicators. In elevator cars, a visual car position indicator shall be provided above the car control panel or over the door to show the position of the elevator in the hoistway. As the car passes or stops at a floor served by the elevators, the corresponding numerals shall illuminate, and an audible signal shall sound. Numerals shall be a minimum of two inches (13 mm) high. The audible signal shall be no less than 20 decibels with a frequency no higher than 1,500 Hertz. An automatic verbal announcement of the floor number at which a car stops or which a car passes may be substituted for the audible signal.

Subp. 14. ADAAG 4.10.14: Emergency communications. If provided, emergency two-way communication systems between the elevator and a point outside the hoistway shall comply with chapter 1307. The highest operable part of a two-way communication system shall be a maximum of 48 inches (1,220 mm) from the floor of the car. It shall be identified by a raised symbol and lettering complying with part 1341.0476 and located adjacent to the device. If the system uses a handset, then the length of the cord from the panel to the handset shall be at least 29 inches (735 mm). If the system is located in a closed compartment, the compartment door hardware shall conform to part 1341.0470. The emergency intercommunication system shall not require voice communication. If instructions for use are provided, essential information shall be presented in both tactile and visual form.

Subp. 15. Handrails. A handrail shall be provided the full length of one side wall of the car, preferably the rear. Handrails at car door openings shall return to the car wall. The handrails shall be smooth, having a diameter of 1-1/4 inches (32 mm) to 1-1/2 inches (38 mm) or providing an equivalent gripping surface. The inside edge of the handrail surface shall be located from 1-1/4 inches (32 mm) to 1-1/2 inches (38 mm) clear of the walls and mounted at a nominal height of 32 inches (815 mm) from the floor.

**1341.0438 ADAAG 4.11: PLATFORM LIFTS (WHEELCHAIR LIFTS) AND LIMITED-USE/LIMITED-APPLICATION LIFTS.**

Subpart 1. **ADAAG 4.11.1: Location.** Platform lifts (wheelchair lifts) permitted by part 1341.0401 shall comply with the requirements of this part.

Subp. 2. **ADAAG 4.11.2: Other requirements.** Platform lifts (wheelchair lifts) shall comply with chapter 1307 and parts 1341.0420, subpart 4; 1341.0426; and 1341.0470.

Subp. 3. **ADAAG 4.11.3: Entrance.** Platform lifts (wheelchair lifts) shall facilitate unassisted entry, operation, and exit from the lift in compliance with subpart 2.

**1341.0442 ADAAG 4.13: DOORS.**

Subpart 1. **ADAAG 4.13.1: General.** Doors required to be accessible by part 1341.0401 shall comply with the requirements of this part.

Subp. 2. **ADAAG 4.13.2: Revolving doors; turnstiles.** Revolving doors or turnstiles shall not be the only means of passage at an accessible entrance or along an accessible route. An accessible gate or door shall be provided adjacent to the turnstile or revolving door and shall be designed to facilitate the same use pattern.

Subp. 3. **ADAAG 4.13.3: Gates.** Gates, including ticket gates, shall meet the specifications of this part.

Subp. 4. **ADAAG 4.13.4: Double-leaf doorways.** If doorways have two independently operated door leaves, then at least one leaf shall meet the specifications in subparts 5 and 6. That leaf shall be an active leaf.

Subp. 5. **ADAAG 4.13.5: Clear width.** Doorways shall have a minimum clear opening of 32 inches (815 mm) with the door open 90 degrees, measured between the face of the door and the opposite stop. See Figures 24(a), (b), (c), and (d). Openings more than 24 inches (610 mm) in depth shall comply with parts 1341.0420, subpart 1; and 1341.0422, subpart 3. See Figure 24(e).

**EXCEPTION:** Doors not requiring full user passage, such as shallow closets, may have the clear opening reduced to a minimum of 20 inches (510 mm).

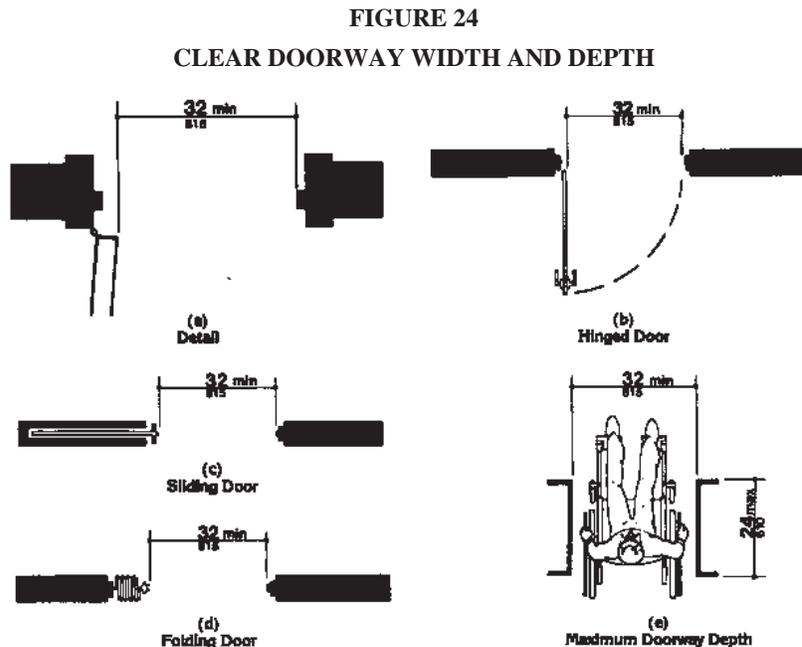


Fig. 24  
Clear Doorway Width and Depth

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language.

## Proposed Rules

Subp. 6. ADAAG 4.13.6: **Maneuvering clearances at doors.** Minimum maneuvering clearances at doors that are not automatic or power-assisted shall be as shown in Figure 25. The floor or ground area within the required clearances shall be level and clear.

**EXCEPTION:** Entry doors to nonaccessible acute care hospital bedrooms for in-patients are exempt from the requirement for space at the latch side of the door (see dimension "x" in Figure 25) if the door is at least 44 inches (1,120 mm) wide.

With the door in a closed position, the plane of the door and the plane of the adjacent wall shall be separated by not more than eight inches (205 mm) at the latch side of the door.

**EXCEPTION 1:** The push side of doors without an actual latching mechanism.

**EXCEPTION 2:** Doors with automatic door opening devices.

FIGURE 25  
MANEUVERING CLEARANCES AT DOORS

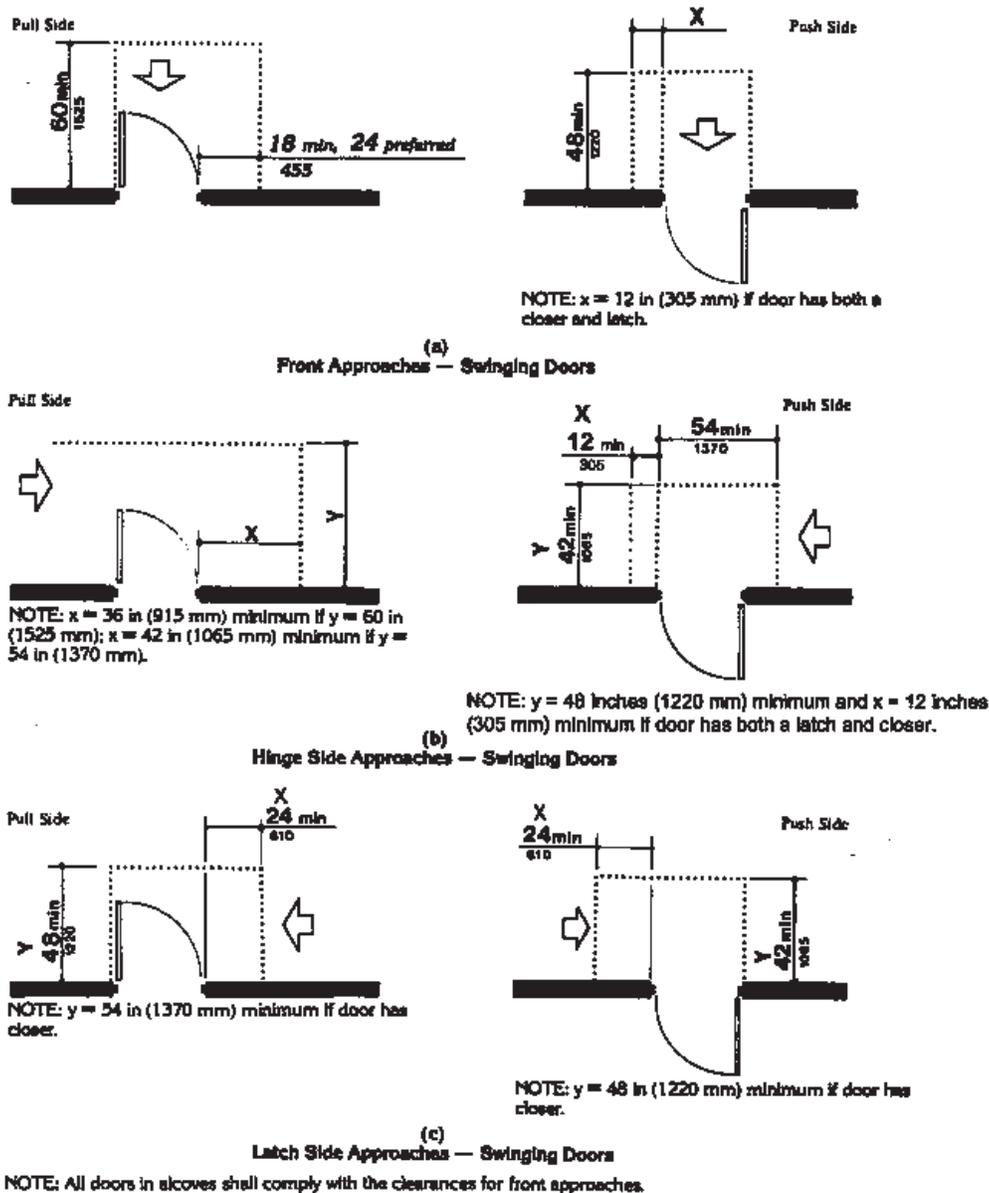
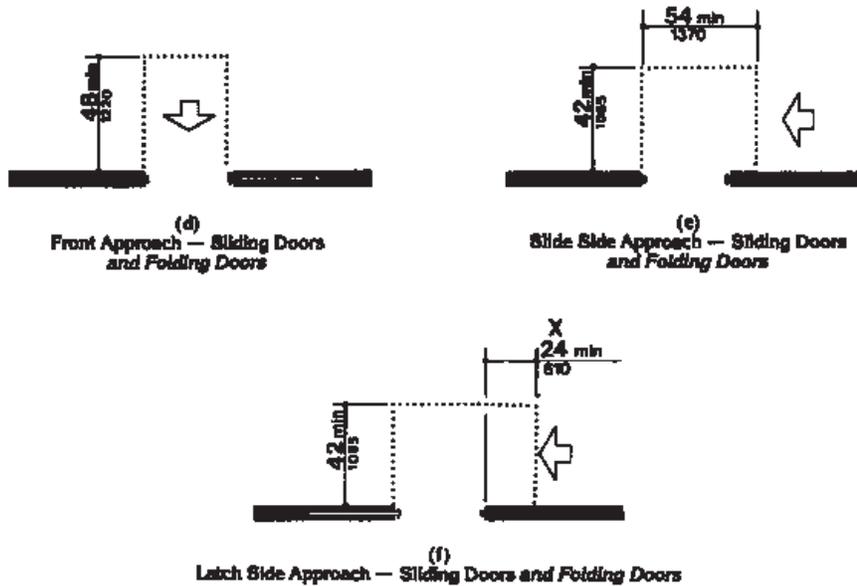


Fig. 25  
Maneuvering Clearances at Doors



NOTE: All doors in alcoves shall comply with the clearances for front approaches.

Fig. 25  
Maneuvering Clearances at Doors (Continued)

Subp. 7. ADAAG 4.13.7: Two doors in series. The minimum space between two hinged or pivoted doors in series shall be 48 inches (1,220 mm) plus the width of any door swinging into the space. Doors in series shall swing either in the same direction or away from the space between the doors. See Figure 26.

FIGURE 26  
TWO HINGED DOORS IN SERIES

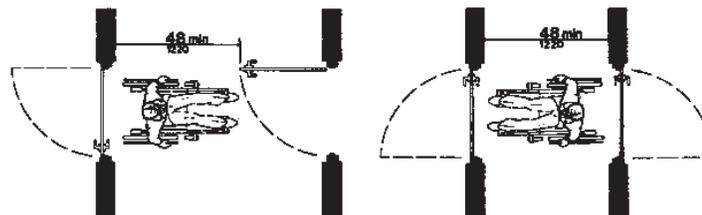


Fig. 26  
Two Hinged Doors in Series

Subp. 8. ADAAG 4.13.8: Thresholds at doorways. Thresholds at doorways shall not exceed three-fourths inch (19 mm) in height for exterior sliding doors or two inches (51 mm) for other types of doors. Raised thresholds and floor level changes at accessible doorways shall be beveled with a slope no greater than 1:2. See part 1341.0426, subpart 2.

Subp. 9. ADAAG 4.13.9: Door hardware. Handles, pulls, latches, locks, and other operating devices on accessible doors shall have a shape that is easy to grasp with one hand and does not require tight grasping, tight pinching, or twisting of the wrist to operate. Lever-operated mechanisms, push-type mechanisms, and U-shaped handles are acceptable designs. When sliding doors are fully open, operating hardware shall be exposed and usable from both sides. Hardware required for accessible door passage shall be mounted no higher than 48 inches (1,220 mm) above the finished floor.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

**EXCEPTION:** Locking mechanisms not intended for use by the general public.

**Subp. 10. ADAAG 4.13.10: Door closers.** If a door has a closer, then the sweep period of the closer shall be adjusted so that from an open position of 70 degrees, the door will take at least three seconds to move to a point three inches (75 mm) from the latch, measured to the leading edge of the door.

**Subp. 11. ADAAG 4.13.11: Door opening force.** The maximum force for pushing or pulling open a door shall be as described in items A and B.

**A. ADAAG 4.13.11(1):** Fire doors shall have the minimum opening force allowable by the exiting requirements of chapter 10 of the UBC.

**B. ADAAG 4.13.11(2):** Other doors include:

(1) ADAAG 4.13.11(2)(b): interior hinged doors, five pound-force (22.2 Newton); and

(2) ADAAG 4.13.11(2)(c): sliding or folding doors, five pound-force (22.2 Newton)

The forces in subitems (1) and (2) do not apply to the force required to retract latch bolts or disengage other devices that may hold the door in a closed position.

**Subp. 12. ADAAG 4.13.12: Automatic doors and power-assisted doors.** An automatic door shall comply with ANSI/BHMA A156.10. Slow opening, low-powered, automatic doors shall comply with ANSI A156.19. The doors shall not open to back check faster than three seconds and shall require no more than 15 pound-force (66.6 Newton) to stop door movement. If a power-assisted door is used, its door-opening force shall comply with subpart 11 and its closing shall conform to the requirements in ANSI A156.19.

Push-button control switches shall have a three-inch (75-mm) minimum dimension measured at at least one point, such as diagonal, diameter, or one side. Control buttons shall be mounted between 30 inches (760 mm) and 36 inches (915 mm) above the finished floor. Control buttons shall be located at least 30 inches (760 mm) from the pull side arc of the swinging door.

**Subp. 13. Door surface.** The bottom ten inches (250 mm) on the push side of doors shall be a smooth uninterrupted surface.

**EXCEPTION:** Doors with automatic openers.

### 1341.0444 ADAAG 4.14: ENTRANCES.

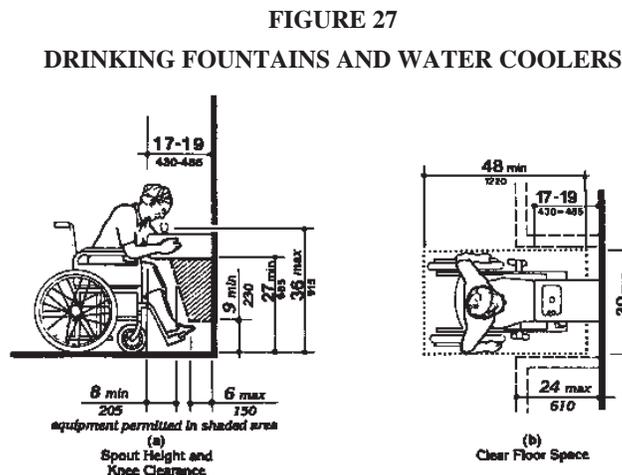
**Subpart 1. ADAAG 4.14.1: Minimum number.** Entrances required to be accessible by part 1341.0401 shall be part of an accessible route complying with part 1341.0422. The entrances shall be connected by an accessible route to public transportation stops, to accessible parking and passenger loading zones, and to public streets or sidewalks if available. See part 1341.0422, subpart 2, item A. They shall also be connected by an accessible route to all nonexempt spaces or elements within the building or facility.

**Subp. 2. ADAAG 4.14.2: Service entrances.** A service entrance shall not be the sole accessible entrance unless it is the only entrance to a building or facility, for example, in a factory or garage.

### 1341.0446 ADAAG 4.15: DRINKING FOUNTAINS AND WATER COOLERS.

**Subpart 1. ADAAG 4.15.1: Minimum number.** Drinking fountains or water coolers required to be accessible by part 1341.0401 shall comply with this part.

**Subp. 2. ADAAG 4.15.2: Spout height.** Spouts shall be no higher than 36 inches (915 mm), measured from the floor or ground surface to the spout outlet. See Figure 27(a).



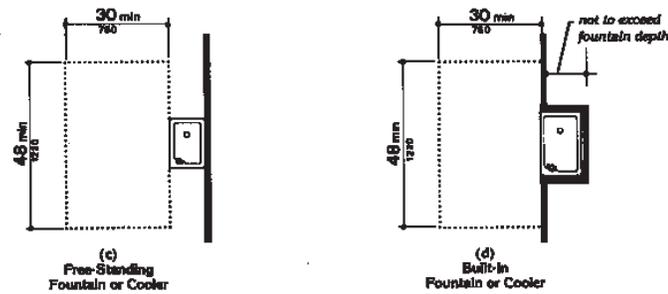


Fig. 27  
Drinking Fountains and Water Coolers

Subp. 3. **ADAAG 4.15.3: Spout location.** The spouts of drinking fountains and water coolers shall be at the front of the unit and shall direct the water flow in a trajectory that is parallel or nearly parallel to the front of the unit. The spout shall provide a flow of water at least four inches (100 mm) high to allow the insertion of a cup or glass under the flow of water. On an accessible drinking fountain with a round or oval bowl, the spout must be positioned so the flow of water is within three inches (75 mm) of the front edge of the fountain.

Subp. 4. **ADAAG 4.15.4: Controls.** Controls shall comply with part 1341.0470, subpart 4. Unit controls shall be front-mounted or side-mounted near the front edge.

Subp. 5. **ADAAG 4.15.5: Clearances.**

A. **ADAAG (1):** Wall-mounted and post-mounted cantilevered units shall have a clear knee space between the bottom of the apron and the floor or ground at least 27 inches (685 mm) high, 30 inches (760 mm) wide, and 17 inches (430 mm) to 19 inches (485 mm) deep. See Figures 27(a) and (b) in subpart 2. The units shall also have a minimum clear floor space 30 inches (760 mm) by 48 inches (1,220 mm) centered on the unit to allow a person in a wheelchair to approach the unit facing forward.

**EXCEPTION:** The clearances in this item shall not be required at units used primarily by children ages 12 and younger where clear floor space for a parallel approach complying with part 1341.0420, subpart 4, is provided and where the spout is no higher than 30 inches (760 mm), measured from the floor or ground surface to the spout outlet.

B. **ADAAG (2):** Free-standing or built-in units not having a clear space under them shall have a clear floor space at least 30 inches (760 mm) by 48 inches (1,220 mm) that allows a person in a wheelchair to make a parallel approach to the unit. See Figures 27(c) and (d) in subpart 2. This clear floor space shall comply with part 1341.0420, subpart 4, and be centered on the unit.

**1341.0448 ADAAG 4.16: WATER CLOSETS.**

Subpart 1. **ADAAG 4.16.1: General.** Accessible water closets shall comply with part 1341.0448, subparts 2 to 6.

**EXCEPTION:** Water closets used primarily by children ages 12 and younger are permitted to comply with part 1341.0448, subpart 7.

Subp. 2. **ADAAG 4.16.2: Clear floor space.** Clear floor space for water closets not in stalls shall comply with Figure 28. Clear floor space may be arranged to allow either a left-handed or right-handed approach.

FIGURE 28  
CLEAR FLOOR SPACE AT WATER CLOSETS

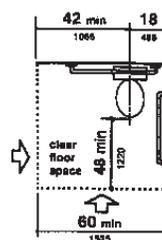


Fig. 28  
Clear Floor Space at Water Closets

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

Subp. 3. **ADAAG 4.16.3: Height.** The height of water closets shall be 17 inches (430 mm) to 19 inches (485 mm), measured to the top of the toilet seat. See Figure 29(b). Seats shall not be sprung to return to a lifted position.

FIGURE 29

### GRAB BARS AT WATER CLOSETS

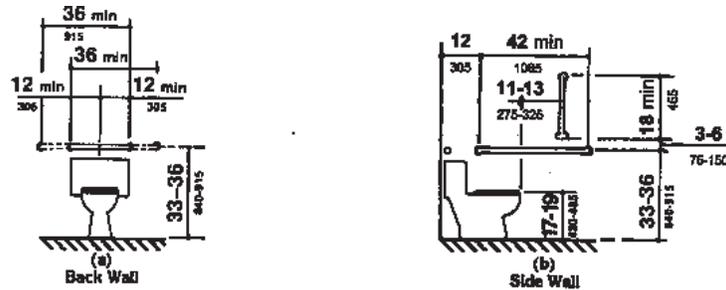
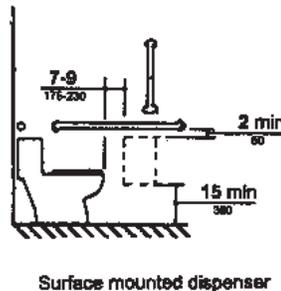


Fig. 29  
Grab Bars at Water Closets

FIGURE 29(c)

### TOILET PAPER DISPENSER



Surface mounted dispenser

Fig. 29(c)  
Toilet Paper Dispenser

Subp. 4. **ADAAG 4.16.4: Grab bars.** Grab bars for water closets not located in stalls shall comply with Figure 29 in subpart 3 and part 1341.0468. The grab bar behind the water closet shall be a minimum of 36 inches (915 mm).

**EXCEPTION:** In nursing home and boarding care resident rooms required to be accessible, an L-shaped grab bar with each leg at least 18 inches (455 mm) in length shall be provided on the side wall. The vertical portion of the grab bar must be mounted 12 inches (305 mm) past the front edge of the water closet with the horizontal portion extending toward the rear wall at a height of ten inches (252 mm) above the toilet seat.

Subp. 5. **ADAAG 4.16.5: Flush controls.** Flush controls shall be hand-operated or automatic and shall comply with part 1341.0470, subpart 4. Hand-operated flush controls shall be mounted on the wide side of toilet areas no more than 44 inches (1,120 mm) above the floor.

Subp. 6. **ADAAG 4.16.6: Dispensers.** Toilet paper dispensers shall be installed within reach, as shown in Figure 29(c) in subpart 3, below the horizontal grab bar with the leading edge of the dispenser seven inches (180 mm) to nine inches (230 mm) in front of the water closet. The outlet of the dispenser shall be located a minimum of 15 inches (380 mm) above the floor with at least two inches (50 mm) of clearance between the top of the dispenser and the horizontal grab bar. The dispenser shall protrude a maximum of four inches (100 mm) from the side wall.

**EXCEPTION:** In nursing home and boarding care resident rooms required to be accessible, the toilet paper dispensers must be centered between 19 inches (485 mm) to 25 inches (635 mm) above the floor, and six inches (150 mm) to 12 inches (305 mm) in front of the seat.

Dispensers that control delivery, or that do not permit continuous paper flow, shall not be used.

Subp. 7. **Water closets for children.** Water closets used primarily by children ages 12 and younger shall comply with part 1341.0448, subpart 7, as permitted by part 1341.0448, subpart 1.

A. Clear floor space for water closets not in stalls shall comply with Figure 28 in subpart 2 except that the centerline of water closets shall be a minimum of 12 inches (305 mm) to a maximum of 18 inches (455 mm) from the side wall or partition. Clear floor space may be arranged to allow either a left-hand or right-hand approach.

B. The height of water closets shall be a minimum of 11 inches (280 mm) to a maximum of 17 inches (430 mm), measured to the top of the toilet seat. Seats shall not be sprung to return to a lifted position.

C. Grab bars for water closets shall comply with Figure 29 in subpart 3 and part 1341.0468, except that grab bars shall be mounted a minimum of 18 inches (455 mm) to a maximum of 27 inches (685 mm) above the finished floor, measured to the grab bar centerline. The grab bar behind the water closet shall be a minimum of 36 inches (915 mm).

EXCEPTION: If flush controls for flush valves are located in a position that conflicts with the location of the rear grab bar, then that grab bar may be split or, at water closets with a centerline placement below 15 inches (380 mm), a rear grab bar a minimum of 24 inches (610 mm) on the open side of the toilet area shall be permitted.

D. Flush controls shall be hand-operated or automatic and shall comply with part 1341.0470, subpart 4. Hand-operated flush controls shall be mounted on the wide side of the toilet area no more than 36 inches (915 mm) above the floor.

E. Toilet paper dispensers shall be installed a minimum of 14 inches (355 mm) to a maximum of 19 inches (485 mm) above the finished floor, measured to the dispenser centerline. The outlet of the dispenser shall be located below the horizontal grab bar with at least two inches (50 mm) of clearance between the top of the dispenser and the horizontal grab bar. The dispenser shall protrude a maximum of four inches (100 mm) from the side wall. Dispensers that control delivery, or that do not permit continuous paper flow, shall not be used.

**1341.0450 ADAAG 4.17: TOILET STALLS.**

Subpart 1. ADAAG 4.17.1: Location. Accessible toilet stalls shall be on an accessible route and shall meet the requirements of part 1341.0450, subparts 2 to 6.

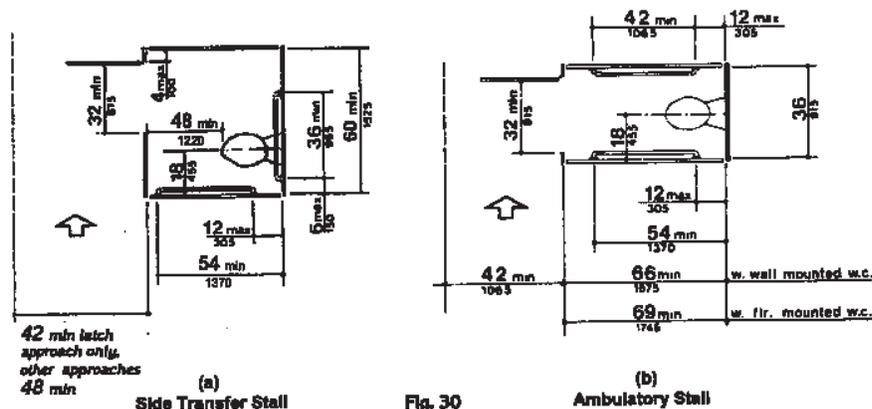
EXCEPTION: Toilet stalls used primarily by children ages 12 and younger shall be permitted to comply with subpart 7.

Subp. 2. ADAAG 4.17.2: Water closets. Water closets in accessible stalls shall comply with part 1341.0448.

Subp. 3. ADAAG 4.17.3: Size and arrangement. The size and arrangement of the side transfer toilet stall shall comply with Figure 30(a). Arrangements shown for side transfer toilet stalls may be reversed to allow either a left-hand or right-hand approach. Additional stalls shall be provided in conformance with part 1341.0460, subpart 4.

EXCEPTION: In instances of alteration work where provision of a side transfer stall as shown in Figure 30(a) is technically infeasible or where plumbing code requirements prevent combining existing stalls to provide space, the requirements of part 1341.0411, subpart 3, item E, shall be followed.

**FIGURE 30  
TOILET STALLS**



**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

**Subp. 4. ADAAG 4.17.4: Toe clearances.** In side transfer stalls, the front partition and at least one side partition shall provide a toe clearance of at least nine inches (230 mm) above the floor. If the depth of the stall is greater than 60 inches (1,525 mm), then the toe clearance is not required.

**Subp. 5. ADAAG 4.17.5: Doors.** Toilet stall doors, including door hardware, shall comply with part 1341.0442. If the toilet stall approach is from the latch side of the stall door, clearance between the door side of the stall and any obstruction may be reduced to a minimum of 42 inches (1,065 mm) as shown in Figures 30(a) and (b) in subpart 3. If the door opens into the stall, a clear floor space complying with part 1341.0420, subpart 4, item A, which is clear of the swing of the door must be provided within the stall.

**Subp. 6. ADAAG 4.17.6: Grab bars.** Grab bars complying with the length and positioning shown in Figure 29 in part 1341.0448, subpart 3, and Figures 30(a) and (b) in subpart 3 shall be provided. Grab bars may be mounted with any desired method as long as they have a gripping surface at the locations shown and do not obstruct the required clear floor area. Grab bars shall comply with part 1341.0468.

**Subp. 7. Toilet stalls for children.** Toilet stalls used primarily by children ages 12 and younger shall comply with this subpart as permitted by subpart 1.

A. Water closets in accessible stalls shall comply with part 1341.0448, subpart 7.

B. The size and arrangement of the side transfer toilet stall shall comply with subpart 3, except that the centerline of water closets shall be a minimum of 12 inches (305 mm) to a maximum of 18 inches (455 mm) from the side wall or partition. Ambulatory stalls complying with Figure 30(b) in subpart 3 may be provided where permitted by subpart 3.

C. In side transfer stalls, the front partition and at least one side partition shall provide a toe clearance of at least 12 inches (305 mm) above the finished floor.

D. Toilet stall doors shall comply with subpart 5.

E. Grab bars shall comply with subpart 6 and the length and positioning shown in Figures 30(a) and (b) subpart 3, except that grab bars shall be mounted a minimum of 18 inches (455 mm) to a maximum of 27 inches (685 mm) above the finished floor, measured to the grab bar centerline.

**EXCEPTION:** If administrative authorities require flush controls for flush valves to be located in a position that conflicts with the location of the rear grab bar, then that grab bar may be split or, at water closets with a centerline placement below 15 inches (380 mm), a rear grab bar a minimum of 24 inches (610 mm) on the open side of the toilet area shall be permitted.

### **1341.0452 ADAAG 4.18: URINALS.**

**Subpart 1. ADAAG 4.18.1: General.** Accessible urinals shall comply with this part.

**Subp. 2. ADAAG 4.18.2: Height.** Urinals shall be stall-type or wall-hung with an elongated rim at a maximum of 17 inches (430 mm) above the finished floor.

**Subp. 3. ADAAG 4.18.3: Clear floor space.** A clear floor space 30 inches (760 mm) by 48 inches (1,220 mm) shall be provided in front of urinals to allow forward approach. The clear space shall be centered on the urinal, shall adjoin or overlap an accessible route, and shall comply with part 1341.0420, subpart 4. Urinal shields that do not extend beyond the front edge of the urinal rim may be provided with 29 inches (735 mm) of clearance between them.

**Subp. 4. ADAAG 4.18.4: Flush controls.** Flush controls shall be hand-operated or automatic, shall comply with part 1341.0470, subpart 4, and shall be mounted no more than 44 inches (1,120 mm) above the finished floor.

### **1341.0454 ADAAG 4.19: LAVATORIES AND MIRRORS.**

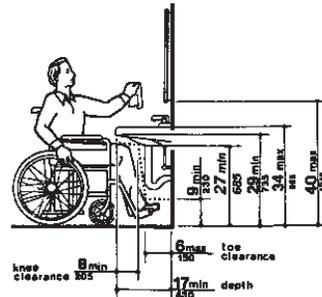
**Subpart 1. ADAAG 4.19.1: General.** The requirements of this part apply to lavatory fixtures, vanities, and built-in lavatories.

**Subp. 2. ADAAG 4.19.2: Height and clearances.** Lavatories shall be mounted with the rim or counter surface no higher than 34 inches (865 mm) above the finished floor. A clearance of at least 29 inches (735 mm) shall be provided above the finished floor to the bottom of the apron. Knee and toe clearance shall comply with Figure 31.

**EXCEPTION 1:** Lavatories used primarily by children ages six through 12 are permitted to have an apron clearance and a knee clearance a minimum of 24 inches (610 mm) high, provided that the rim or counter surface is no higher than 31 inches (760 mm).

**EXCEPTION 2:** Lavatories used primarily by children ages five and younger are not required to meet the clearances in this subpart if clear floor space for a parallel approach complying with part 1341.0420, subpart 4, is provided that is centered on the lavatory.

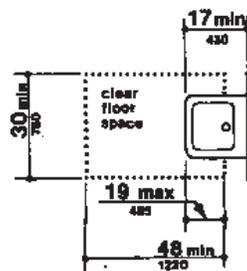
**FIGURE 31  
LAVATORY CLEARANCES**



**Fig. 31  
Lavatory Clearances**

Subp. 3. **ADAAG 4.19.3: Clear floor space.** A clear floor space 30 inches (760 mm) by 48 inches (1,220 mm) complying with part 1341.0420, subpart 4, shall be provided in front of a lavatory to allow forward approach. The clear floor space shall be centered on the lavatory, shall adjoin or overlap an accessible route, and shall extend a maximum of 19 inches (485 mm) underneath the lavatory. See Figure 32.

**FIGURE 32  
CLEAR FLOOR SPACE AT LAVATORIES**



**Fig. 32  
Clear Floor Space at Lavatories**

Subp. 4. **ADAAG 4.19.4: Exposed pipes and surfaces.** Hot water and drain pipes under lavatories shall be insulated or otherwise configured to protect against contact. There shall be no sharp or abrasive surfaces under lavatories.

Subp. 5. **ADAAG 4.19.5: Faucets.** Faucets shall comply with part 1341.0470, subpart 4, and shall have their operating mechanisms no more than 20 inches (510 mm) from the front edge of the lavatory or counter. Lever-operated, push-type, and electronically-controlled mechanisms are examples of acceptable designs. If self-closing valves are used, the faucet shall remain open for at least ten seconds. Self-closing valves shall not be the type that require an individual to reach forward and push down to activate the mechanism.

Subp. 6. **ADAAG 4.19.6: Mirrors.** Mirrors shall be mounted with the bottom edge of the reflecting surface no higher than 40 inches (1,015 mm) above the finished floor. See Figure 31 in subpart 2.

**EXCEPTION:** In nursing home and boarding care resident rooms required to be accessible, the bottom of the mirror shall be mounted no more than 36 inches (915 mm) above the floor with the top of the mirror at least 66 inches (1,675 mm) above the floor, or an angled mirror shall be provided that achieves the same result.

**1341.0456 ADAAG 4.20: BATHTUBS.**

Subpart 1. **ADAAG 4.20.1: General.** Accessible bathtubs shall comply with this part.

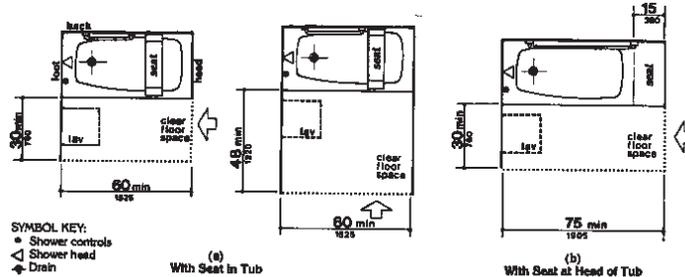
Subp. 2. **ADAAG 4.20.2: Floor space.** Clear floor space in front of bathtubs shall be as shown in Figure 33.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language.

# Proposed Rules

EXCEPTION: In nursing home and boarding care resident rooms required to be accessible, bathtubs and clear floor space that facilitate assisted bathing may be provided instead of the specifications found in Figure 33. A horizontal or vertical grab bar must be provided adjacent to the bathtub transfer area to assist in drying of residents.

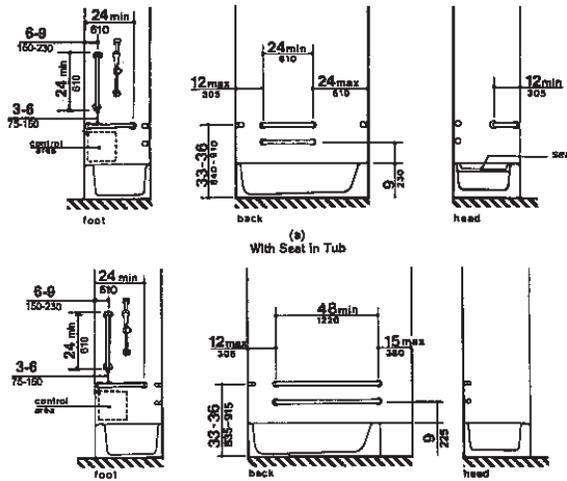
**FIGURE 33**  
**CLEAR FLOOR SPACE AT BATHTUBS**



**Fig. 33**  
**Clear Floor Space at Bathtubs**

Subp. 3. ADAAG 4.20.3: Seat. An in-bathtub seat or a seat at the head end of the bathtub shall be provided as shown in Figure 33 in subpart 2 and Figure 34. The structural strength of seats and their attachments shall comply with part 1341.0468, subpart 3. Seats shall be mounted securely and shall not slip during use.

**FIGURE 34**  
**GRAB BARS AT BATHTUBS**



**Fig. 34**  
**Grab Bars at Bathtubs**

Subp. 4. ADAAG 4.20.4: Grab bars. Grab bars complying with part 1341.0468 shall be provided as shown in Figure 33 in subpart 2 and Figure 34 in subpart 3.

Subp. 5. ADAAG 4.20.5: Controls. Faucets and other controls complying with part 1341.0470, subpart 4, shall be located as shown in Figure 34 in subpart 3.

Subp. 6. ADAAG 4.20.6: Shower unit. A shower spray unit with a hose at least 60 inches (1,525 mm) long that can be used both as a fixed shower head and as a hand-held shower shall be provided.

Subp. 7. ADAAG 4.20.7: Bathtub enclosures. If provided, enclosures for bathtubs shall not obstruct controls or transfer from wheelchairs onto bathtub seats or into bathtubs. Enclosures on bathtubs shall not have tracks mounted on their rims.

## **1341.0458 ADAAG 4.21: SHOWER STALLS.**

Subpart 1. ADAAG 4.21.1: General. Accessible shower stalls shall comply with this part. The accessible route leading to the shower stall and the clear floor space required adjacent to the shower stall shall be clear of the spray from other shower heads.

Subp. 2. **ADAAG 4.21.2: Size and clearances.** Except as specified in part 1341.0910, item B, shower stall size and clear floor space shall comply with Figure 35(a) or (b). The shower stall in Figure 35(a) shall be 36 inches (915 mm) by 36 inches (915 mm). Shower stalls required by part 1341.0910, item B, shall comply with Figure 57(a) or (b) in part 1341.0910. The shower stall in Figure 35(b) will fit into the space required for a bathtub.

**EXCEPTION:** In nursing home and boarding care resident rooms required to be accessible, the minimum shower size shall be 48 inches (1,220 mm) by 48 inches (1,220 mm), or 54 inches (1,370 mm) by 42 inches (1,065 mm) with the long side open.

**FIGURE 35**  
**SHOWER SIZE AND CLEARANCES**

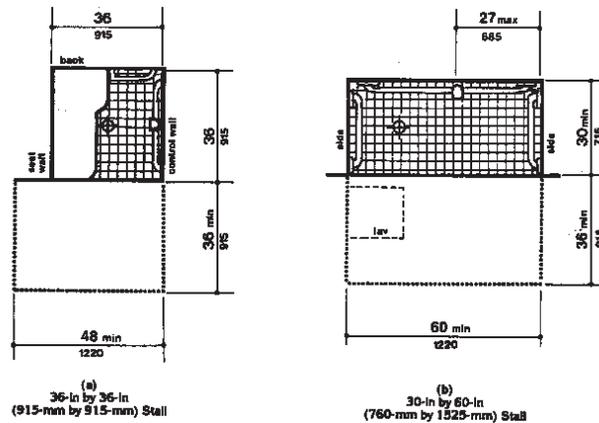


Fig. 35  
Shower Size and Clearances

Subp. 3. **ADAAG 4.21.3: Seat.** A seat shall be provided in shower stalls 36 inches (915 mm) by 36 inches (915 mm) and shall be as shown in Figure 36. The seat shall be mounted 17 inches (430 mm) to 19 inches (485 mm) from the bathroom floor and shall extend the full depth of the stall. In a 36-inch (915-mm) by 36-inch (915-mm) shower stall, the seat shall be on the wall opposite the controls. If a fixed seat is provided in a 30-inch (760-mm) by 60-inch (1,525-mm) minimum shower stall, it shall be a folding type and shall be mounted on the wall adjacent to the controls as shown in Figure 57 in part 1341.0910. The structural strength of seats and their attachments shall comply with part 1341.0468, subpart 3.

**FIGURE 36**  
**SHOWER SEAT DESIGN**

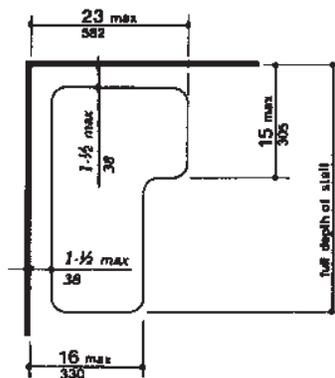


Fig. 36  
Shower Seat Design

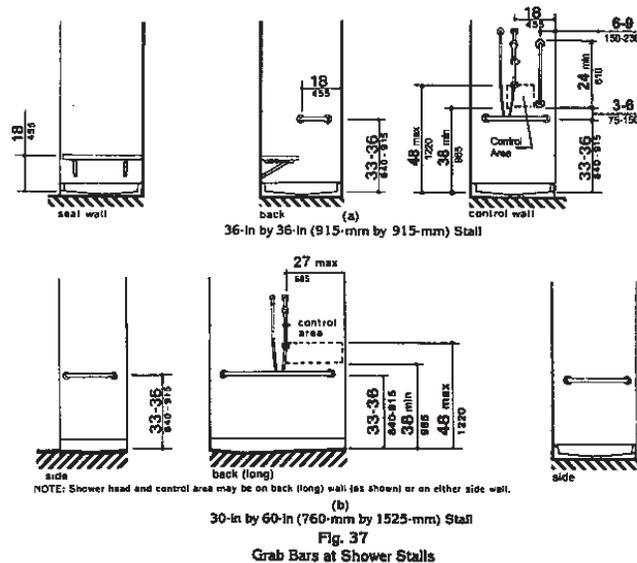
**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

Subp. 4. **ADAAG 4.21.4: Grab bars.** Grab bars complying with part 1341.0468 shall be provided as shown in Figure 37.

**EXCEPTION:** In nursing home and boarding care resident rooms required to be accessible, a nonslip vertical grab bar as shown in Figure 37(a) shall be located at the shower entrance. The low end of the grab bar must be 36 inches (915 mm) above the floor.

FIGURE 37  
GRAB BARS AT SHOWER STALLS



Subp. 5. **ADAAG 4.21.5: Controls.** Faucets and other controls complying with part 1341.0470, subpart 4, shall be located as shown in Figure 37 in subpart 4. In shower stalls 36 inches (915 mm) by 36 inches (915 mm), all controls, faucets, and the shower unit shall be mounted on the side wall opposite the seat.

Subp. 6. **ADAAG 4.21.6: Shower unit.** A shower spray unit with a hose at least 60 inches (1,525 mm) long that can be used both as a fixed shower head and as a hand-held shower shall be provided.

**EXCEPTION:** In unmonitored facilities where vandalism is a consideration, a fixed shower head mounted at 48 inches (1,220 mm) above the shower floor may be used instead of a hand-held shower head.

Subp. 7. **ADAAG 4.21.7: Curbs.** If provided, curbs in shower stalls shall be no higher than one-half inch (13 mm) and shall be beveled with a slope no greater than 1:2.

Subp. 8. **ADAAG 4.21.8: Shower enclosures.** If provided, enclosures for shower stalls shall not obstruct controls or obstruct transfer from wheelchairs onto shower seats.

### 1341.0460 ADAAG 4.22: TOILET ROOMS.

Subpart 1. **ADAAG 4.22.1: Minimum number.** Toilet facilities required to be accessible by part 1341.0401 shall comply with this part. Accessible toilet rooms shall be on an accessible route as required in part 1341.0405, items A, E, and K.

Subp. 2. **ADAAG 4.22.2: Doors.** All doors to accessible toilet rooms shall comply with part 1341.0442. Doors shall not swing into the clear floor space required for any fixture unless the room is for individual use only and a clear floor space complying with part 1341.0420, subpart 4, item A, is provided within the room clear of the swing of the door.

Subp. 3. **ADAAG 4.22.3: Clear floor space.** The accessible fixtures and controls required in part 1341.0460, subparts 4 to 7, shall be on an accessible route. An unobstructed turning space complying with part 1341.0420, subpart 3, shall be provided within an accessible toilet room. The clear floor space at fixtures and controls, the accessible route, and the turning space may overlap.

Subp. 4. **ADAAG 4.22.4: Water closets.** If toilet stalls are provided, then at least one shall be a side transfer toilet stall complying with part 1341.0450. If six or more stalls or combination of stalls and urinals are provided within the mens' toilet room, in addition to the stall complying with part 1341.0450, subpart 3, at least one stall 36 inches (915 mm) wide with an outward swinging, self-closing door and grab bars complying with Figure 29(b) in part 1341.0448, subpart 3, Figure 30(b) in part 1341.0450, subpart 3, and part 1341.0468 shall be provided in both the mens' and womens' toilet rooms. Water closets in such stalls shall comply with part 1341.0448. If water closets are not in stalls, then at least one shall comply with part 1341.0448.

Subp. 5. **ADAAG 4.22.5: Urinals.** If urinals are provided, then at least one shall comply with part 1341.0452.

Subp. 6. **ADAAG 4.22.6: Lavatories and mirrors.** If lavatories and mirrors are provided, then at least one of each shall comply with part 1341.0454.

Subp. 7. **ADAAG 4.22.7: Controls and dispensers.** If controls, dispensers, receptacles, or other equipment are provided, then at least one of each shall be on an accessible route and shall comply with part 1341.0470.

Subp. 8. **Diaper changing tables.** If changing tables are provided, the work surface shall be mounted no higher than 34 inches (864 mm) above the floor.

#### **1341.0462 ADAAG 4.23: BATHROOMS; BATHING FACILITIES; SHOWER ROOMS.**

Subpart 1. **ADAAG 4.23.1: Minimum number.** Bathrooms, bathing facilities, or shower rooms required to be accessible by part 1341.0401 shall comply with this part and shall be on an accessible route as required in part 1341.0405, items A, E, and K.

Subp. 2. **ADAAG 4.23.2: Doors.** Doors to accessible bathrooms shall comply with part 1341.0442. Doors shall not swing into the floor space required for any fixture unless the room is for individual use only and a clear floor space complying with part 1341.0420, subpart 4, item A, is provided within the room clear of the swing of the door.

**EXCEPTION:** In nursing home and boarding care resident rooms required to be accessible, doors to toilet rooms and bathrooms shall swing out.

Subp. 3. **ADAAG 4.23.3: Clear floor space.** The accessible fixtures and controls required in subparts 4 to 9 shall be on an accessible route. An unobstructed turning space complying with part 1341.0420, subpart 3, shall be provided within an accessible bathroom. The clear floor spaces at fixtures and controls, the accessible route, and the turning space may overlap.

Subp. 4. **ADAAG 4.23.4: Water closets.** If toilet stalls are provided, then at least one shall be a side transfer toilet stall complying with part 1341.0450. If six or more stalls or combination of stalls and urinals are provided within the mens' bathroom, in addition to the stall complying with part 1341.0450, subpart 3, at least one stall 36 inches (915 mm) wide with an outward swinging, self-closing door and grab bars complying with Figure 29(b) in part 1341.0448, subpart 3, Figure 30(b) in part 1341.0450, subpart 3, and part 1341.0468 shall be provided in both the mens' and womens' bathrooms. Water closets in the stalls shall comply with part 1341.0448. If water closets are not in stalls, then at least one shall comply with part 1341.0448.

Subp. 5. **ADAAG 4.23.5: Urinals.** If urinals are provided, then at least one shall comply with part 1341.0452.

Subp. 6. **ADAAG 4.23.6: Lavatories and mirrors.** If lavatories and mirrors are provided, then at least one of each shall comply with part 1341.0454.

Subp. 7. **ADAAG 4.23.7: Controls and dispensers.** If controls, dispensers, receptacles, or other equipment are provided, then at least one of each shall be on an accessible route and shall comply with part 1341.0470.

Subp. 8. **ADAAG 4.23.8: Bathing and shower facilities.** If bathtubs or showers are provided, then at least one accessible tub that complies with part 1341.0456 or at least one accessible shower that complies with part 1341.0458 shall be provided.

Subp. 9. **ADAAG 4.23.9: Medicine cabinets.** If medicine cabinets are provided, at least one shall be located with a usable shelf no higher than 44 inches (1,120 mm) above the floor space. The floor space shall comply with part 1341.0420, subpart 4.

Subp. 10. **Diaper changing tables.** If changing tables are provided, the work surface shall be mounted no higher than 34 inches (864 mm) above the floor.

#### **1341.0464 ADAAG 4.24: SINKS.**

Subpart 1. **ADAAG 4.24.1: General.** Sinks required to be accessible by part 1341.0401 shall comply with this part.

Subp. 2. **ADAAG 4.24.2: Height.** Sinks shall be mounted with the counter or rim no higher than 34 inches (865 mm) above the finished floor.

Subp. 3. **ADAAG 4.24.3: Knee clearance.** Knee clearance that is at least 27 inches (685 mm) high, 30 inches (760 mm) wide, and 19 inches (485 mm) deep shall be provided underneath sinks.

**EXCEPTION 1:** Sinks used primarily by children ages six through 12 are permitted to have a knee clearance a minimum of 24 inches (610 mm) high, provided that the rim or counter surface is no higher than 31 inches (760 mm).

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <b>Strike outs</b> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <b>Strike outs</b> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

**EXCEPTION 2:** Sinks used primarily by children ages five and younger are required to provide knee clearance if clear floor space for a parallel approach complying with part 1341.0420, subpart 4, is provided that is centered on the sink.

**Subp. 4. ADAAG 4.24.4: Depth.** Each sink shall be a maximum of 6-1/2 inches (165 mm) deep.

**Subp. 5. ADAAG 4.24.5: Clear floor space.** A clear floor space at least 30 inches (760 mm) by 48 inches (1,220 mm) complying with part 1341.0420, subpart 4, shall be provided in front of a sink to allow forward approach. The clear floor space shall be on an accessible route, shall be centered on the sink, and shall extend a maximum of 19 inches (485 mm) underneath the sink. See Figure 32 in part 1341.0454, subpart 3.

**Subp. 6. ADAAG 4.24.6: Exposed pipes and surfaces.** Hot water and drain pipes exposed under sinks shall be insulated or otherwise configured to protect against contact. There shall be no sharp or abrasive surfaces under sinks.

**Subp. 7. ADAAG 4.24.7: Faucets.** Faucets shall comply with part 1341.0470, subpart 4, and shall have their operating mechanisms no more than 20 inches (510 mm) from the front edge of the sink or counter. Lever-operated, push-type, touch-type, or electronically-controlled mechanisms are acceptable designs.

### 1341.0466 ADAAG 4.25: STORAGE.

**Subpart 1. ADAAG 4.25.1: General.** Fixed storage facilities such as cabinets, shelves, closets, and drawers required to be accessible by part 1341.0401 shall comply with this part.

**Subp. 2. ADAAG 4.25.2: Clear floor space.** A clear floor space at least 30 inches (760 mm) by 48 inches (1,220 mm) complying with part 1341.0420, subpart 4, that allows either a forward or parallel approach by a person using a wheelchair shall be provided at accessible storage facilities.

**Subp. 3. ADAAG 4.25.3: Height.** Accessible storage spaces shall be within at least one of the reach ranges specified in Figures 5 and 6 in part 1341.0420, subparts 5 and 6. Clothes rods or shelves shall be a maximum of 54 inches (1,370 mm) above the finished floor for a side approach. If the distance from the wheelchair to the clothes rod or shelf exceeds ten inches (255 mm), such as in closets without accessible doors, the height and depth to the rod or shelf shall comply with Figures 38(a) and (b).

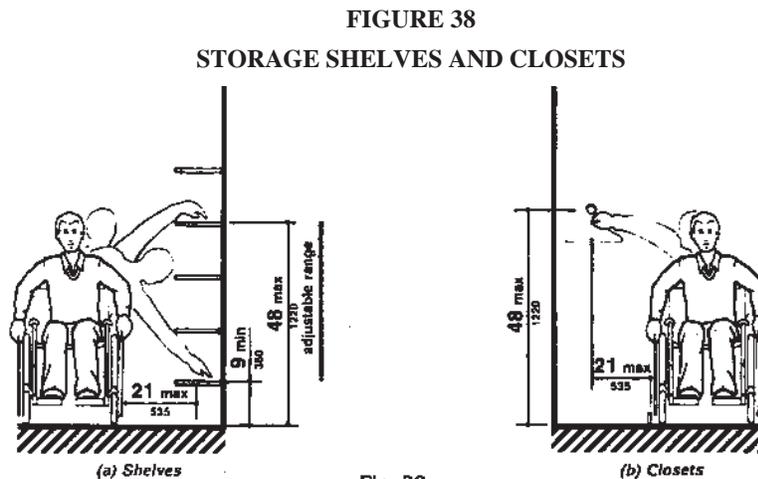


Fig. 38  
Storage Shelves and Closets

**Subp. 4. ADAAG 4.25.4: Hardware.** Hardware for accessible storage facilities shall comply with part 1341.0470, subpart 4. Touch latches and U-shaped pulls are acceptable.

### 1341.0468 ADAAG 4.26: HANDRAILS, GRAB BARS, AND BATHTUB AND SHOWER SEATS.

**Subpart 1. ADAAG 4.26.1: General.** All handrails, grab bars, and bathtub and shower seats required to be accessible by part 1341.0401, 1341.0432, 1341.0434, 1341.0448, 1341.0450, 1341.0456, or 1341.0458 shall comply with this part.

**Subp. 2. ADAAG 4.26.2: Size and spacing of grab bars and handrails.** The diameter or width of the gripping surfaces of a handrail or grab bar shall be 1-1/4 inches (32 mm) to 1-1/2 inches (38 mm), or the shape shall provide an equivalent gripping surface. If handrails or grab bars are mounted adjacent to a wall, the space between the wall and the grab bar shall be 1-1/2 inches (38 mm). See Figures 39(a), (b), (c), and (e). Handrails may be located in a recess if the recess is a maximum of three inches (75 mm) deep and extends at least 18 inches (455 mm) above the top of the rail. See Figure 39(d).

FIGURE 39  
SIZE AND SPACING OF HANDRAILS AND GRAB BARS

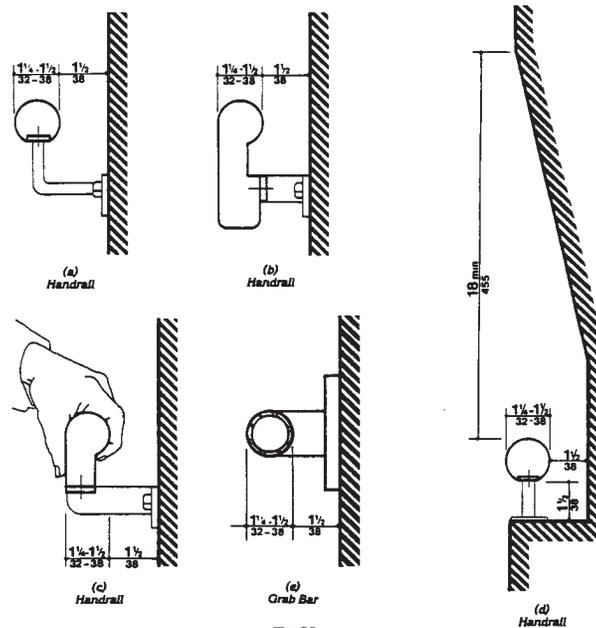


Fig. 39  
Size and Spacing of Handrails and Grab Bars

Subp. 3. **ADAAG 4.26.3: Structural strength.** The structural strength of grab bars, bathtub and shower seats, fasteners, and mounting devices shall meet the specifications in items A to E.

A. **ADAAG 4.26.3(1):** Bending stress in a grab bar or seat induced by the maximum bending moment from the application of 250 pound-force (1,112 Newton) shall be less than the allowable stress for the material of the grab bar or seat.

B. **ADAAG 4.26.3(2):** Shear stress induced in a grab bar or seat by the application of 250 pound-force (1,112 Newton) shall be less than the allowable shear stress for the material of the grab bar or seat. If the connection between the grab bar or seat and its mounting bracket or other support is considered to be fully restrained, then direct and torsional shear stresses shall be totaled for the combined shear stress, which shall not exceed the allowable shear stress.

C. **ADAAG 4.26.3(3):** Shear force induced in a fastener or mounting device from the application of 250 pound-force (1,112 Newton) shall be less than the allowable lateral load of either the fastener or mounting device or the supporting structure, whichever is the smaller allowable load.

D. **ADAAG 4.26.3(4):** Tensile force induced in a fastener by a direct tension force of 250 pound-force (1,112 Newton) plus the maximum moment from the application of 250 pound-force (1,112 Newton) shall be less than the allowable withdrawal load between the fastener and the supporting structure.

E. **ADAAG 4.26.3(5):** Grab bars shall not rotate within their fittings.

Subp. 4. **ADAAG 4.26.4: Eliminating hazards.** A handrail or grab bar and any wall or other surface adjacent to it shall be free of any sharp or abrasive elements. Edges shall have a minimum radius of one-eighth inch (3.2 mm).

#### 1341.0470 ADAAG 4.27: CONTROLS AND OPERATING MECHANISMS.

Subpart 1. **ADAAG 4.27.1: General.** Controls and operating mechanisms required to be accessible by part 1341.0401 shall comply with this part.

Subp. 2. **ADAAG 4.27.2: Clear floor space.** Clear floor space complying with part 1341.0420, subpart 4, that allows a forward or parallel approach by a person using a wheelchair shall be provided at controls, dispensers, receptacles, and other operable equipment. The clear floor space shall be centered on the object.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language.

## Proposed Rules

---

**Subp. 3. ADAAG 4.27.3: Height.** The highest operable part of controls, dispensers, receptacles, and other operable equipment shall be placed within at least one of the reach ranges specified in part 1341.0420, subparts 5 and 6. Electrical and communications system receptacles on walls shall be mounted no less than 15 inches (380 mm) above the floor.

**EXCEPTION 1:** The requirements in this subpart do not apply if the use of special equipment dictates otherwise or if electrical and communications systems receptacles are not normally intended for use by building occupants.

**EXCEPTION 2:** Key pads, thermostats, and other controls requiring numeric manipulation shall be located no more than 48 inches (1,220 mm) above the floor.

**Subp. 4. ADAAG 4.27.4: Operation.** Controls and operating mechanisms shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate controls shall be no greater than five pound-force (22.2 Newton).

### **1341.0472 ADAAG 4.28: ALARMS.**

**Subpart 1. ADAAG 4.28.1: General.** Alarm systems required to be accessible by part 1341.0401 shall comply with this part. At a minimum, visual signal appliances shall be provided in buildings and facilities in restrooms and any other general usage areas, such as meeting rooms; hallways; lobbies; and any other area for common use.

**Subp. 2. ADAAG 4.28.2: Audible alarms.** If provided, audible emergency alarms shall produce a sound that exceeds the prevailing equivalent sound level in the room or space by at least 15 dBA or exceeds any maximum sound level with a duration of 60 seconds by five dBA, whichever is louder. Sound levels for alarm signals shall not exceed 120 dBA.

**Subp. 3. ADAAG 4.28.3: Visual alarms.** Visual alarm signal appliances shall be integrated into the building or facility alarm system. If single station audible alarms are provided, then single station visual alarm signals shall be provided. Visual alarm signals shall have the minimum photometric and location features in items A to H.

**A. ADAAG 4.28.3(1):** The lamp shall be a xenon strobe type or equivalent.

**B. ADAAG 4.28.3(2):** The color shall be clear or nominal white, such as unfiltered or clear filtered white light).

**C. ADAAG 4.28.3(3):** The maximum pulse duration shall be two-tenths of one second, with a maximum duty cycle of 40 percent. The pulse duration is defined as the time interval between initial and final points of ten percent of maximum signal.

**D. ADAAG 4.28.3(4):** The intensity shall be a minimum of 75 candela.

**E. ADAAG 4.28.3(5):** The flash rate shall be a minimum of one Hertz and a maximum of three Hertz.

**F. ADAAG 4.28.3(6):** The appliance shall be placed 80 inches (2,030 mm) above the highest floor level within the space or six inches (152 mm) below the ceiling, whichever is lower.

**G. ADAAG 4.28.3(7):** In general, no place in any room or space required to have a visual signal appliance shall be more than 50 feet (15 m) from the signal in the horizontal plane. In large rooms and spaces exceeding 100 feet (30 m) across, without obstructions six feet (2 m) above the finished floor, such as auditoriums, devices may be placed around the perimeter, spaced a maximum 100 feet (30 m) apart, instead of suspending appliances from the ceiling.

**H. ADAAG 4.28.3(8):** No place in common corridors or hallways in which visual alarm signaling appliances are required shall be more than 50 feet (15 m) from the signal.

**Subp. 4. ADAAG 4.28.4: Auxiliary alarms.** Lodging accommodations required by part 1341.0910, item C, shall have a visual alarm connected to the building emergency alarm system or shall have a standard 110-volt electrical receptacle into which the alarm can be connected and a means by which a signal from the building emergency alarm system can trigger the auxiliary alarm. If visual alarms are in place, the signal shall be visible in all areas of the unit or room. Instructions for use of the auxiliary alarm or receptacle shall be provided.

### **1341.0474 ADAAG 4.29: DETECTABLE WARNINGS.**

**Subpart 1. ADAAG 4.29.1: General.** Detectable warnings required by parts 1341.1010 to 1341.1050 shall comply with this part.

**Subp. 2. ADAAG 4.29.2: Detectable warnings on walking surfaces.** Detectable warnings shall consist of raised truncated domes with a diameter of nominal 0.9 inches (23 mm), a height of nominal 0.2 inches (5 mm), and a center-to-center spacing of nominal 2.35 inches (60 mm), and shall contrast visually with adjoining surfaces, either light-on-dark or dark-on-light.

The material used to provide contrast shall be an integral part of the walking surface. Detectable warnings used on interior surfaces shall differ from adjoining walking surfaces in resiliency or sound-on-cane contact.

### **1341.0476 ADAAG 4.30: SIGNAGE.**

**Subpart 1. ADAAG 4.30.1: General.** Signage required to be accessible by part 1341.0401 shall comply with this part.

**Subp. 2. ADAAG 4.30.2: Character proportion.** Letters and numbers on signs shall have a width-to-height ratio between 3:5 and 1:1 and a stroke-width-to-height ratio between 1:5 and 1:10.

**Subp. 3. ADAAG 4.30.3: Character height.** Characters and numbers on signs shall be sized according to the viewing distance from which they are to be read. The minimum height is measured using an upper case X. Lower case characters are permitted.

<u>Height Above Finished Floor</u>	<u>Minimum Character Height</u>
<u>Suspended or Projected Overhead in compliance with part 1341.0424, subpart 2</u>	<u>3 inches (75 mm)</u>

**Subp. 4. ADAAG 4.30.4: Raised and Brailled characters and pictorial symbol signs (pictograms).** Letters and numerals shall be raised a minimum of 1/32 inch (0.79 mm), upper case, sans serif or simple serif type and shall be accompanied with Grade 2 Braille. Raised characters shall be at least five-eighths inch (16 mm) high, but no higher than two inches (50 mm). Pictograms shall be accompanied by the equivalent verbal description placed directly below the pictogram. The border dimension of the pictogram shall be a minimum of six inches (152 mm) in height.

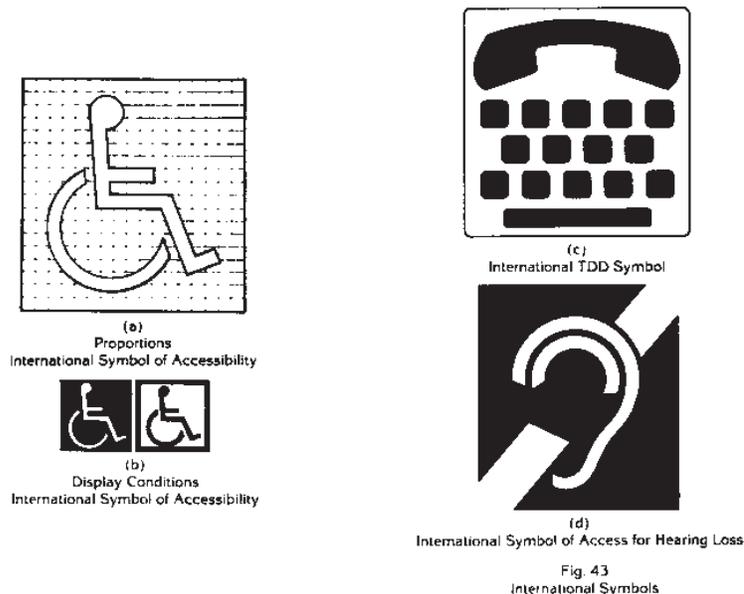
**Subp. 5. ADAAG 4.30.5: Finish and contrast.** The characters and background of signs shall be eggshell, matte, or other nonglare finish. Characters and symbols shall contrast with their background, such as light characters on a dark background or dark characters on a light background.

**Subp. 6. ADAAG 4.30.6: Mounting location and height.** If permanent identification is provided for rooms and spaces, signs shall be installed on the wall adjacent to the latch side of the door. If there is no wall space to the latch side of the door, including at double leaf doors, signs shall be placed on the nearest adjacent wall. Mounting height shall be 60 inches (1,525 mm) above the finished floor to the centerline of the sign. Mounting location for the signage shall be so that a person may approach within three inches (76 mm) of the signage without encountering protruding objects or standing within the swing of a door.

**Subp. 7. ADAAG 4.30.7: Symbols of accessibility.**

**A. ADAAG 4.30.7(1):** Facilities and elements required to be identified as accessible by part 1341.0401 shall use the international symbol of accessibility. The symbol shall be displayed as shown in Figures 43(a) and (b).

**FIGURE 43  
INTERNATIONAL SYMBOLS**



**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

B. **ADAAG 4.30.7(2):** Telephones required by part 1341.0405, item Q, subitem (2), to have a volume control shall be identified by a sign containing a depiction of a telephone handset with radiating sound waves.

C. **ADAAG 4.30.7(3):** TTYs required by part 1341.0405, item Q, subitem (3), shall be identified by the international TTY symbol as shown in Figure 43(c) in item A. In addition, if a facility has a public TTY, directional signage indicating the location of the nearest TTY shall be placed adjacent to all banks of telephones that do not contain a TTY. The directional signage shall include the international TTY symbol. If a facility has no banks of telephones, the directional signage shall be provided at the entrance, for example, in a building directory.

D. **ADAAG 4.30.7(4):** In assembly areas where permanently installed assistive listening systems are required by part 1341.0405, item S, subitem (2), the availability of the systems shall be identified with signage that includes the international symbol of access for hearing loss as shown in Figure 43(d) in item A.

### 1341.0478 ADAAG 4.31: TELEPHONES.

Subpart 1. **ADAAG 4.31.1: General.** Public telephones required to be accessible by part 1341.0401 shall comply with this part.

Subp. 2. **ADAAG 4.31.2: Clear floor or ground space.** A clear floor or ground space at least 30 inches (760 mm) by 48 inches (1,220 mm) that allows either a forward or parallel approach by a person using a wheelchair shall be provided at telephones. See Figure 44. The clear floor or ground space shall comply with part 1341.0420, subpart 4, and be centered on the telephone. Bases, enclosures, and fixed seats shall not impede approaches to telephones by people who use wheelchairs.

FIGURE 44  
MOUNTING HEIGHTS AND CLEARANCES FOR TELEPHONES

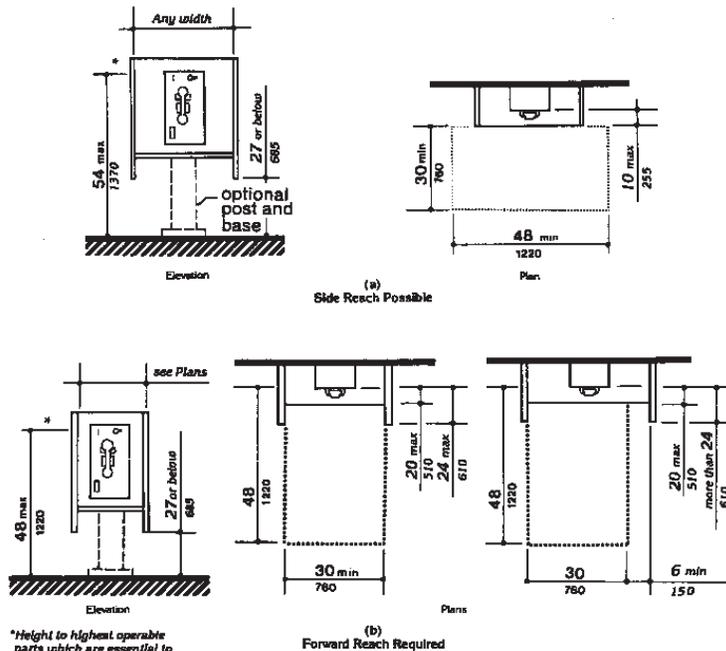


Fig. 44  
Mounting Heights and Clearances for Telephones

Subp. 3. **ADAAG 4.31.3: Mounting height.** The highest operable part of the telephone shall be within the reach ranges specified in part 1341.0420, subpart 5 or 6.

Subp. 4. **ADAAG 4.31.4: Protruding objects.** Telephones shall comply with part 1341.0424.

Subp. 5. **ADAAG 4.31.5: Hearing aid compatible and volume control telephones required by part 1341.0401.**

A. **ADAAG 4.31.5(1):** Telephones shall be hearing aid compatible.

B. **ADAAG 4.31.5(2):** Volume controls, capable of a minimum of 12 dBA and a maximum of 18 dBA above normal, shall be provided according to part 1341.0405. If an automatic reset is provided, then 18 dBA may be exceeded.

Subp. 6. **ADAAG 4.31.6: Controls.** Telephones shall have pushbutton controls where service for the equipment is available.

Subp. 7. **ADAAG 4.31.7: Telephone books.** Telephone books, if provided, shall be located in a position that complies with the reach ranges specified in part 1341.0420, subparts 5 and 6.

Subp. 8. **ADAAG 4.31.8: Cord length.** The cord from the telephone to the handset shall be at least 29 inches (735 mm) long.

Subp. 9. **ADAAG 4.31.9: TTYs required by part 1341.0401.**

A. **ADAAG 4.31.9(1): TTYs used with a public telephone shall be permanently affixed within, or adjacent to, the telephone enclosure.** If an acoustic coupler is used, the telephone cord shall be sufficiently long to allow connection of the TTY and the telephone receiver.

B. **ADAAG 4.31.9(2): Public telephones designed to accommodate a portable TTY shall be equipped with a shelf and an electrical outlet within or adjacent to the telephone enclosure.** The telephone handset shall be capable of being placed flush on the surface of the shelf. The shelf shall be capable of accommodating a TTY and shall have a minimum of six inches (152 mm) of vertical clearance in the area where the TTY is to be placed.

**1341.0480 ADAAG 4.32: FIXED OR BUILT-IN SEATING AND TABLES.**

Subpart 1. **ADAAG 4.32.1: Minimum number.** Fixed or built-in seating or tables required to be accessible by part 1341.0401 shall comply with subparts 2 to 4.

**EXCEPTION:** Fixed or built-in seating or tables used primarily by children ages 12 and younger are permissible if they comply with subpart 5.

Subp. 2. **ADAAG 4.32.2: Seating.** If seating spaces for people in wheelchairs are provided at fixed tables or counters, clear floor space complying with part 1341.0420, subpart 4, shall be provided. The clear floor space shall not overlap knee space by more than 19 inches (485 mm). See Figure 45.

**FIGURE 45  
MINIMUM CLEARANCES FOR SEATING AND TABLES**

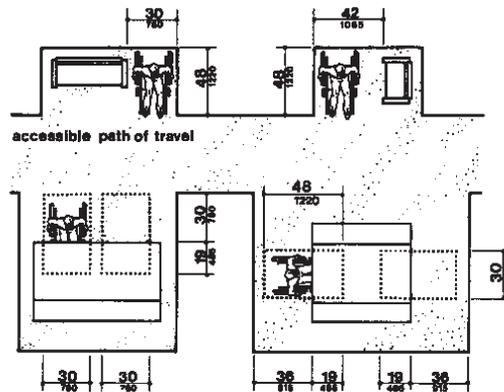


Fig. 45  
Minimum Clearances for Seating and Tables

Subp. 3. **ADAAG 4.32.3: Knee clearances.** If seating for people in wheelchairs is provided at tables or counters, knee spaces at least 27 inches (685 mm) high, 30 inches (760 mm) wide, and 19 inches (485 mm) deep shall be provided. See Figure 45 in subpart 2.

Subp. 4. **ADAAG 4.32.4: Height of tables or counters.** The tops of accessible tables and counters shall be from 28 inches (710 mm) to 34 inches (865 mm) above the finished floor or ground.

Subp. 5. **Children’s fixed or built-in seating and tables.** Fixed or built-in seating or tables used primarily by children ages 12 and younger shall comply with this subpart as permitted by subpart 1.

**EXCEPTION:** Fixed or built-in seating or tables used primarily by children ages five and younger are not required to comply with this subpart if clear floor space complying with part 1341.0420, subpart 4, parallel to fixed tables or counters is provided.

A. If seating spaces for people in wheelchairs are provided at fixed tables or counters, clear floor space complying with part 1341.0420, subpart 4, shall be provided. The clear floor space shall not overlap knee space by more than 19 inches (485 mm). See Figure 45 in subpart 2.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language.

## Proposed Rules

B. If seating for people in wheelchairs is provided at tables or counters, knee spaces at least 24 inches (610 mm) high, 30 inches (760 mm) wide, and 19 inches (485 mm) deep shall be provided. See Figure 45 in subpart 2.

C. The tops of accessible tables and counters shall be from 26 inches (660 mm) to 30 inches (760 mm) above the finished floor or ground.

### 1341.0482 ADAAG 4.33: ASSEMBLY AREAS.

Subpart 1. ADAAG 4.33.1: Minimum number. Assembly and associated areas required to be accessible by part 1341.0401 shall comply with this part.

Subp. 2. ADAAG 4.33.2: Size of wheelchair locations. Each wheelchair location shall provide minimum clear ground or floor space as shown in Figure 46.

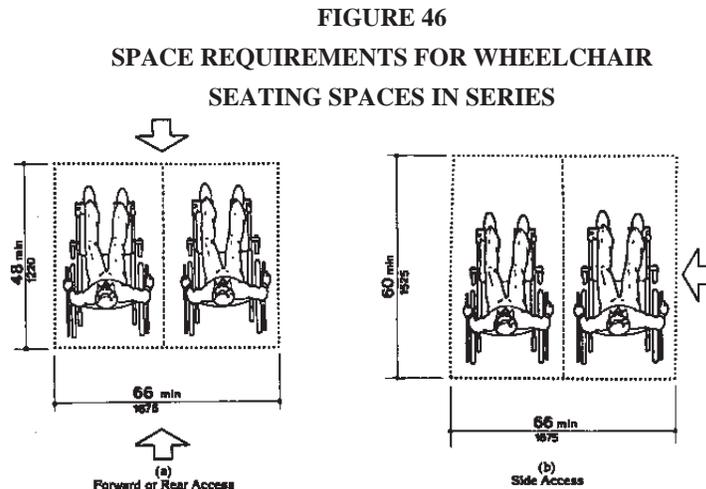


Fig. 46  
Space Requirements for Wheelchair  
Seating Spaces in Series

Subp. 3. ADAAG 4.33.3: Placement of wheelchair locations. Wheelchair areas shall be an integral part of any fixed seating plan and shall provide people with physical disabilities a choice of admission prices and lines of sight comparable to those for members of the general public. In movie theaters, a majority of wheelchair seating areas shall be located a minimum of 30 feet (9.14 m) from the screen. In assembly occupancies where spectators can be expected to stand, lines of sight from wheelchair locations shall be maintained over standing spectators. They shall adjoin an accessible route that also serves as a means of egress in case of emergency. At least one companion fixed seat shall be provided next to each wheelchair seating area. If the seating capacity exceeds 300, wheelchair spaces shall be evenly dispersed both vertically and horizontally throughout the fixed seating area to the greatest extent practicable. Readily removable seats may be installed in wheelchair spaces when the spaces are not required to accommodate wheelchair users.

EXCEPTION: Accessible viewing positions may be clustered for bleachers, balconies, and other areas having sight lines that require slopes of greater than ten percent. Equivalent accessible viewing positions may be located on levels having accessible egress.

Subp. 4. ADAAG 4.33.4: Surfaces. The ground or floor at wheelchair locations shall be level and shall comply with part 1341.0426.

Subp. 5. ADAAG 4.33.5: Access to performing areas. An accessible route shall connect wheelchair seating locations with performing areas, including stages, arena floors, dressing rooms, locker rooms, and other spaces used by performers. To the extent practicable, the accessible route shall coincide with the route for the general public.

Subp. 6. ADAAG 4.33.6: Placement of listening systems. If the listening system provided serves individual fixed seats, then the seats shall be located within a viewing distance of 50 feet (15 m) from the stage or playing area and shall have a complete view of the stage or playing area.

Subp. 7. ADAAG 4.33.7: Types of listening systems. Assistive listening systems are intended to augment standard public addressing and audio systems by providing signals that can be received directly by persons with special receivers or their own hearing aids and that eliminate or filter background noise. The type of assistive listening system appropriate for a particular application depends on the characteristics of the setting, the nature of the program, and the intended audience. Magnetic induction loops, infrared, and radio frequency systems are types of listening systems that are appropriate for various applications.

**1341.0484 ADAAG 4.34: AUTOMATED TELLER MACHINES (ATMs).**

**Subpart 1. ADAAG 4.34.1: General.** Each machine required to be accessible by part 1341.0405 shall be on an accessible route and shall comply with this part.

**Subp. 2. ADAAG 4.34.2: Clear floor space.** The ATM shall be located so that clear floor space complying with part 1341.0420, subpart 4, is provided to allow a person using a wheelchair to make a forward approach, a parallel approach, or both, to the machine.

**Subp. 3. ADAAG 4.34.3: Reach ranges.**

**A. ADAAG 4.34.3(1):** If only a forward approach is possible, operable parts of all controls shall be placed within the forward reach range specified in part 1341.0420, subpart 5.

**B. ADAAG 4.34.3(2):** If only a parallel approach is possible, operable parts of controls shall be placed according to subitems (1) and (2).

(1) ADAAG 4.34.3(2)(a): If the reach depth to the operable parts of all controls as measured from the vertical plane perpendicular to the edge of the unobstructed clear floor space at the farthest protrusion of the ATM or surround is not more than ten inches (255 mm), the maximum height above the finished floor or grade shall be 54 inches (1,370 mm).

(2) ADAAG 4.34.3(2)(b): If the reach depth to the operable parts of any control as measured from the vertical plane perpendicular to the edge of the unobstructed clear floor space at the farthest protrusion of the ATM or surround is more than ten inches (255 mm), the maximum height above the finished floor or grade shall be as follows:

<u>Reach Depth</u>		<u>Maximum Height</u>	
<u>Inches</u>	<u>Millimeters</u>	<u>Inches</u>	<u>Millimeters</u>
<u>10</u>	<u>255</u>	<u>54</u>	<u>1370</u>
<u>11</u>	<u>280</u>	<u>53-1/2</u>	<u>1360</u>
<u>12</u>	<u>305</u>	<u>53</u>	<u>1345</u>
<u>13</u>	<u>330</u>	<u>52-1/2</u>	<u>1335</u>
<u>14</u>	<u>355</u>	<u>51-1/2</u>	<u>1310</u>
<u>15</u>	<u>380</u>	<u>51</u>	<u>1295</u>
<u>16</u>	<u>405</u>	<u>50-1/2</u>	<u>1285</u>
<u>17</u>	<u>430</u>	<u>50</u>	<u>1270</u>
<u>18</u>	<u>455</u>	<u>49-1/2</u>	<u>1255</u>
<u>19</u>	<u>485</u>	<u>49</u>	<u>1245</u>
<u>20</u>	<u>510</u>	<u>48-1/2</u>	<u>1230</u>
<u>21</u>	<u>535</u>	<u>47-1/2</u>	<u>1205</u>
<u>22</u>	<u>560</u>	<u>47</u>	<u>1195</u>
<u>23</u>	<u>585</u>	<u>46-1/2</u>	<u>1180</u>
<u>24</u>	<u>610</u>	<u>46</u>	<u>1170</u>

**C. ADAAG 4.34.3(3):** If both a forward and parallel approach are possible, operable parts of controls shall be placed within at least one of the reach ranges in item A or B.

**D. ADAAG 4.34.3(4):** If bins are provided for envelopes, waste paper, or other purposes, at least one of each type provided shall comply with the applicable reach ranges in item A, B, or C.

**EXCEPTION:** If a function can be performed in a substantially equivalent manner by using an alternate control, only one of the controls needed to perform that function is required to comply with this subpart. If the controls are identified by tactile markings, the markings shall be provided on both controls.

**Subp. 4. ADAAG 4.34.4: Controls.** Controls for user activation shall comply with part 1341.0470, subpart 4.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

Subp. 5. ADAAG 4.34.5: Equipment for persons with vision impairments. Instructions and all information for use shall be made accessible to and independently usable by persons with vision impairments.

### **1341.0486 ADAAG 4.35: DRESSING AND FITTING ROOMS.**

Subpart 1. ADAAG 4.35.1: General. Dressing and fitting rooms required to be accessible by part 1341.0401 shall comply with this part and shall be on an accessible route.

Subp. 2. ADAAG 4.35.2: Clear floor space. A clear floor space allowing a person using a wheelchair to make a 180-degree turn shall be provided in every accessible dressing room entered through a swinging or sliding door. Doors shall not swing into the room unless a clear floor space complying with part 1341.0420, subpart 4, item A, is provided in the room clear of the swing of the door. Turning space is not required in a private dressing room entered through a curtained opening at least 32 inches (815 mm) wide if clear floor space complying with part 1341.0420 renders the dressing room usable by a person using a wheelchair.

Subp. 3. ADAAG 4.35.3: Doors. All doors to accessible dressing rooms shall be in compliance with part 1341.0442.

Subp. 4. ADAAG 4.35.4: Bench. Every accessible dressing room shall have a bench 24 inches (610 mm) by 48 inches (1,220 mm), fixed to the wall along the longer dimension. The bench shall be mounted 17 inches (430 mm) to 19 inches (485 mm) above the finished floor. Clear floor space shall be provided alongside the bench to allow a person using a wheelchair to make a parallel transfer onto the bench. The structural strength of the bench and attachments shall comply with part 1341.0468, subpart 3. If installed in conjunction with showers, swimming pools, or other wet locations, water shall not accumulate upon the surface of the bench and the bench shall have a slip-resistant surface.

Subp. 5. ADAAG 4.35.5: Mirror. If mirrors are provided in dressing rooms of the same use, then in an accessible dressing room, a full-length mirror, measuring at least 18 inches (460 mm) wide by 54 inches (1,370 mm) high, shall be mounted in a position affording a view to a person on the bench as well as to a person in a standing position.

### **1341.0488 POOLS AND SPAS.**

Lifts designed to access the water shall be independently operable from both the deck and water level and rotate a minimum of 120 degrees from pool or spa deck to water. Operating controls shall comply with part 1341.0470, subpart 4. Seats on lifts shall have back rests and foot rests and be of a firm and stable design. The lift shall have a minimum lifting capacity of 300 lbs. Lifts may be transportable whenever a full-time attendant is available.

Ramps into pools shall meet the requirements of part 1341.0432.

## **RESTAURANTS AND CAFETERIAS**

### **1341.0510 ADAAG 5.1: GENERAL.**

Except as specified or modified in parts 1341.0510 to 1341.0590, restaurants and cafeterias shall comply with parts 1341.0401 to 1341.0488 and 1341.0710 to 1341.0740. If fixed tables, or dining counters where food is consumed but there is no service, are provided, at least five percent, but not less than one, of the fixed tables, or a portion of the dining counter, shall be accessible and shall comply with part 1341.0480 as required in part 1341.0405, item R. In establishments where separate areas are designated for smoking and nonsmoking patrons, the required number of accessible fixed tables or counters shall be proportionally distributed between the smoking and nonsmoking areas. In new construction, and where practicable in alterations, accessible fixed tables or counters shall be distributed throughout the space or facility.

### **1341.0520 ADAAG 5.2: COUNTERS AND BARS.**

If food or drink is served at counters exceeding 34 inches (865 mm) in height for consumption by customers seated on stools or standing at the counter, a portion of the main counter that is a minimum of 60 inches (1,525 mm) in length shall be provided in compliance with part 1341.0480 or service shall be available at accessible tables within the same area.

### **1341.0530 ADAAG 5.3: ACCESS AISLES.**

All accessible fixed tables shall be accessible by means of an access aisle at least 36 inches (915 mm) clear between parallel edges of tables or between a wall and the table edges.

### **1341.0540 ADAAG 5.4: DINING AREAS.**

In new construction, all dining areas, including raised or sunken dining areas, loggias, and outdoor seating areas, shall be accessible. An accessible means of vertical access to the mezzanine is not required under the following conditions:

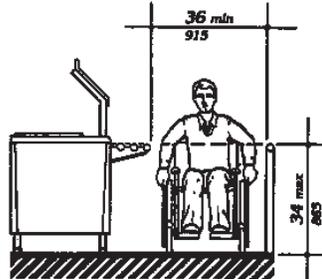
- A. the area of mezzanine seating measures no more than 33 percent of the area of the total accessible seating area;
- B. the same services and decor are provided in an accessible space usable by the general public; and

C. the accessible areas are not restricted to use by people with disabilities. In alterations, when accessibility to raised or sunken dining areas, or to all parts of outdoor seating areas is technically infeasible, the same services and decor shall be provided in an accessible space usable by the general public which is not restricted to use by people with disabilities.

**1341.0550 ADAAG 5.5: FOOD SERVICE LINES.**

Food service lines shall have a minimum clear width of 36 inches (915 mm), with a preferred clear width of 42 inches (1,065 mm) to allow passage around a person using a wheelchair. Tray slides shall be mounted no higher than 34 inches (865 mm) above the floor. See Figure 53. If self-service shelves are provided, at least 50 percent of each type must be within reach ranges specified in part 1341.0420, subparts 5 and 6.

**FIGURE 53  
FOOD SERVICE LINES**

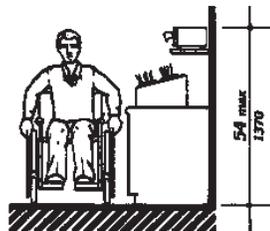


*Fig. 53  
Food Service Lines*

**1341.0560 ADAAG 5.6: TABLEWARE AND CONDIMENT AREAS.**

Self-service shelves and dispensing devices for tableware, dishware, condiments, food, and beverages shall be installed to comply with part 1341.0420. See Figure 54.

**FIGURE 54  
TABLEWARE AREAS**



*Fig. 54  
Tableware Areas*

**1341.0570 ADAAG 5.7: RAISED PLATFORMS.**

In banquet rooms or spaces where a head table or speaker's lectern is located on a raised platform, the platform shall be accessible in compliance with part 1341.0432 or 1341.0438. Open edges of a raised platform shall be protected by placement of tables or by a curb.

**1341.0580 ADAAG 5.8: VENDING MACHINES AND OTHER EQUIPMENT.**

Spaces for vending machines and other equipment shall comply with part 1341.0420 and shall be located on an accessible route.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

### MEDICAL CARE FACILITIES

#### **1341.0610 ADAAG 6.1: GENERAL.**

Medical care facilities included in parts 1341.0610 to 1341.0640 are those in which people receive physical or medical treatment or care and where persons may need assistance in responding to an emergency and where the period of stay may exceed 24 hours. In addition to the requirements of parts 1341.0401 to 1341.0488, medical care facilities and buildings shall comply with parts 1341.0610 to 1341.0640.

A. ADAAG 6.1(1): In general purpose hospitals, psychiatric facilities, and detoxification facilities, at least ten percent of patient bedrooms and toilets, and all public use and common use areas, are required to be designed and constructed to be accessible.

B. ADAAG 6.1(2): In hospitals and rehabilitation facilities that specialize in treating conditions that affect mobility, or units within either that specialize in treating conditions that affect mobility, all patient bedrooms and toilets, and all public use and common use areas, are required to be designed and constructed to be accessible.

C. ADAAG 6.1(3): In long-term care facilities, nursing homes, and boarding care, at least 50 percent of patient bedrooms and toilets, and all public use and common use areas, are required to be designed and constructed to be accessible.

D. ADAAG 6.1(4): If patient bedrooms are being added or altered, the altered patient bedrooms shall comply with part 1341.0630, unless:

(1) the number of accessible rooms provided in the department or area containing the altered patient bedroom equals the number of accessible patient bedrooms that would be required if the percentage requirements of item A, B, or C were applied to that department or area; or

(2) the number of accessible patient bedrooms in the facility equals the overall number that would be required if the facility were newly constructed. For example, if 20 patient bedrooms are being altered in the obstetrics department of a hospital, two of the altered rooms must be made accessible. If, within the same hospital, 20 patient bedrooms are being altered in a unit that specializes in treating mobility impairments, all of the altered rooms must be made accessible. If toilet rooms or bathrooms are part of patient bedrooms that are added or altered and required to be accessible, each toilet room or bathroom shall comply with part 1341.0640.

#### **1341.0620 ADAAG 6.2: ENTRANCES.**

At least one accessible entrance that complies with part 1341.0444 shall be protected from the weather by a canopy or roof overhang. The entrances shall incorporate a passenger loading zone that complies with part 1341.0428, subpart 6.

#### **1341.0630 ADAAG 6.3: PATIENT BEDROOMS.**

Accessible patient bedrooms shall be provided in compliance with parts 1341.0401 to 1341.0488. Accessible patient bedrooms shall comply with items A to C.

A. ADAAG 6.3(1): Each bedroom shall have doors that comply with part 1341.0442.

B. ADAAG 6.3(2): Each bedroom shall have adequate space to provide a maneuvering space that complies with part 1341.0420, subpart 3. In rooms with two beds, it is preferable that this space be located between beds.

C. ADAAG 6.3(3): Each bedroom shall have adequate space to provide a minimum clear floor space of 36 inches (915 mm) along each side of the bed and to provide an accessible route complying with part 1341.0422, subpart 3, to each side of each bed.

#### **1341.0640 ADAAG 6.4: PATIENT TOILET ROOMS.**

If toilet rooms or bathrooms are provided as a part of a patient bedroom, each patient bedroom that is required to be accessible shall have an accessible toilet room or bathroom that complies with part 1341.0460 or 1341.0462 and shall be on an accessible route.

### BUSINESS AND MERCANTILE

#### **1341.0710 ADAAG 7.1: GENERAL.**

In addition to the requirements of parts 1341.0401 to 1341.0488, the design of all areas used for business transactions with the public shall comply with parts 1341.0710 to 1341.0740.

#### **1341.0720 ADAAG 7.2: SALES AND SERVICE COUNTERS; TELLER AND SALES WINDOWS; INFORMATION COUNTERS.**

Subpart 1. ADAAG 7.2(1): Assistance counters. If counters or windows are provided for sales or distribution of goods or services or to provide information or registration to the general public, five percent, but not less than one, of each type of counter or window shall have a portion of the main counter that is at least 36 inches (915 mm) in length with a maximum height of 36 inches (915 mm) above the floor. Accessible counters or windows shall be:

A. provided in a prominent location;

B. located on an accessible route; and

C. evenly dispersed throughout the building or facility.

EXCEPTION 1: Drive-up windows.

EXCEPTION 2: The maximum counter height on accessible conveyor-type check-out aisles shall not exceed 38 inches (965 mm) above the finished floor. The top of the lip shall not exceed 40 inches (1,015 mm) above the finished floor.

Subp. 2. ADAAG 7.2(3): Voice communication in solid partitions or security glazing. In public facilities where counters or teller windows have solid partitions or security glazing to separate personnel from the public, at least one of each type shall provide a method to facilitate voice communication. The methods may include, but are not limited to, grilles, slats, talk-through baffles, intercoms, or telephone handset devices. The method of communication shall be accessible to both individuals who use wheelchairs and individuals who have difficulty bending or stooping. If provided for public use, at least one telephone communication device shall be equipped with volume controls complying with part 1341.0478, subpart 5. Hand-operable communications devices, if provided, shall comply with part 1341.0470.

**1341.0730 ADAAG 7.3: CHECK-OUT AISLES.**

Subpart 1. ADAAG 7.3(1): Number of accessible aisles. In new construction, accessible check-out aisles shall be provided in conformance with the following table:

<u>Total Check-out Aisles of Each Design</u>	<u>Minimum Number of Accessible Check-out Aisles of Each Design</u>
<u>1 to 4</u>	<u>1</u>
<u>5 to 8</u>	<u>2</u>
<u>9 to 15</u>	<u>3</u>
<u>over 15</u>	<u>3, plus 20 percent of additional aisles</u>

EXCEPTION 1: In new construction, where the selling space is under 5,000 square feet, only one check-out aisle is required to be accessible.

EXCEPTION 2: In alterations, at least one check-out aisle shall be accessible in facilities under 5,000 square feet of selling space. In facilities of 5,000 or more square feet of selling space, at least one of each design of check-out aisle shall be made accessible when altered until the number of accessible check-out aisles of each design equals the number required in new construction.

Examples of check-out aisles of different design include those which are specifically designed to serve different functions. Different design includes, but is not limited to, the length of belt or no belt, or permanent signage designating the aisle as an express lane.

Subp. 2. ADAAG 7.3(2): Clear aisle width. Clear aisle width for accessible check-out aisles shall comply with part 1341.0420, subpart 1, and the maximum adjoining counter height shall not exceed 36 inches (915 mm) above the finished floor. The top of the lip shall not exceed 38 inches (965 mm) above the finished floor.

Subp. 3. ADAAG 7.3(3): Accessible aisle signage. Signage identifying accessible check-out aisles shall comply with part 1341.0476, subpart 7, and shall be mounted above the check-out aisle in the same location where the check-out number or type of check-out is displayed.

**1341.0740 ADAAG 7.4: SECURITY BOLLARDS.**

Subpart 1. Shopping cart security. Any device used to prevent the removal of shopping carts from store premises shall not prevent access or egress to people in wheelchairs.

Subp. 2. Fixed security barriers. At least one accessible route complying with part 1341.0422 shall be provided through fixed security barriers at each single barrier or group of security barriers. A group is two or more security barriers immediately adjacent to each other at a single location. If security barriers incorporate equipment that as metal detectors, fluoroscopes, or other similar devices that cannot be made accessible, an accessible route shall be provided adjacent to the security screening devices to facilitate an equivalent circulation path.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

LIBRARIES; MEDIA CENTERS

**1341.0810 ADAAG 8.1: GENERAL.**

In addition to the requirements of parts 1341.0401 to 1341.0488, the design of all public areas of a library shall comply with parts 1341.0810 to 1341.0850, including reading and study areas, stacks, reference rooms, reserve areas, and special facilities or collections.

**1341.0820 ADAAG 8.2: READING AND STUDY AREAS.**

Five percent, but not less than one, of each element of fixed seating, tables, or study carrels shall comply with parts 1341.0420 and 1341.0480. Clearances between fixed accessible tables and between study carrels shall comply with part 1341.0422.

**1341.0830 ADAAG 8.3: CHECK-OUT AREAS.**

At least one lane at each check-out area shall comply with part 1341.0720. Any traffic control or book security gates or turnstiles shall comply with part 1341.0442.

**1341.0840 ADAAG 8.4: CARD CATALOGS AND MAGAZINE DISPLAYS.**

Subpart 1. **Aisle space; reach height.** Minimum clear aisle space at card catalogs and magazine displays shall comply with Figure 55. Maximum reach height shall comply with part 1341.0420, with a preferred height of 48 inches (1,220 mm), irrespective of approach allowed.

FIGURE 55  
CARD CATALOG

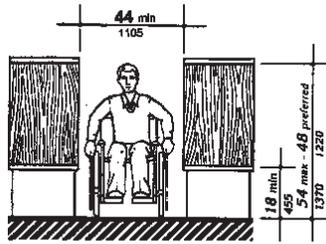


Fig. 55  
Card Catalog

Subp. 2. **Computers.** Computer card catalog stations and other areas with public access computer terminals shall provide accessible seating and tables that comply with part 1341.0820.

**1341.0850 ADAAG 8.5: STACKS.**

Minimum clear aisle width between stacks shall be a minimum of 44 inches (1,105 mm) when books or other objects are provided on both sides of the aisle and a minimum of 36 inches (915 mm) when books or other objects are on one side only. Shelf height in stack areas is unrestricted. See Figure 56.

FIGURE 56  
STACKS

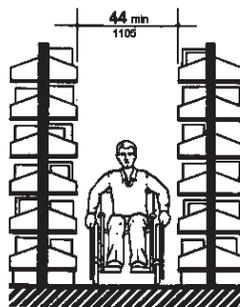


Fig. 56  
Stacks

ACCESSIBLE TRANSIENT LODGING

**1341.0910 ADAAG 9(1) and 9.1: HOTELS, MOTELS, INNS, BOARDING HOUSES, DORMITORIES, RESORTS, AND OTHER SIMILAR PLACES OF TRANSIENT LODGING.**

Except as specified in parts 1341.0910 to 1341.0950, accessible transient lodging shall comply with parts 1341.0401 to 1341.0488. Transient lodging includes facilities or portions of facilities used for sleeping accommodations, when not classed as a medical care facility.

**A. ADAAG 9.1.1:** All public use and common use areas are required to be designed and constructed to comply with parts 1341.0401 to 1341.0488.

**EXCEPTION 1:** Parts 1341.0910 to 1341.0940 do not apply to an establishment located within a building that contains not more than five rooms for rent or hire and that is actually occupied by the proprietor of the establishment as the residence of the proprietor.

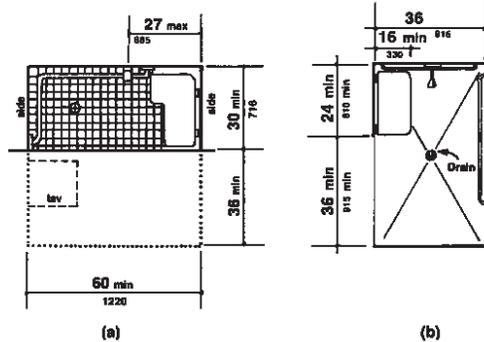
**EXCEPTION 2:** The elevator requirements of part 1341.0405, item E, do not apply to two-story structures with not more than 100 sleeping rooms where facilities similar to those provided on the inaccessible level are also provided on the accessible level.

**B. ADAAG 9.1.2:** Accessible sleeping rooms or suites that comply with parts 1341.0920 and 1341.0930 shall be provided in conformance with the table in this item. In addition, in hotels of 50 or more sleeping rooms or suites, additional accessible sleeping rooms or suites that include a roll-in shower shall also be provided in conformance with the table in this item. The accommodations shall comply with parts 1341.0458 and 1341.0920 and Figure 57(a) or (b).

<u>Number of Rooms</u>	<u>Accessible Rooms</u>	<u>Room with Roll-in Showers</u>
<u>1 to 25</u>	<u>1</u>	
<u>26 to 50</u>	<u>2</u>	
<u>51 to 75</u>	<u>3</u>	<u>1</u>
<u>76 to 100</u>	<u>4</u>	<u>1</u>
<u>101 to 150</u>	<u>5</u>	<u>2</u>
<u>151 to 200</u>	<u>6</u>	<u>2</u>
<u>201 to 300</u>	<u>7</u>	<u>3</u>
<u>301 to 400</u>	<u>8</u>	<u>4</u>
<u>401 to 500</u>	<u>9</u>	<u>4, plus one for each additional 100 over 400</u>
<u>501 to 1,000</u>	<u>2 percent of total</u>	
<u>1,001 and over</u>	<u>20, plus 1 for each 100 over 1,000</u>	

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

**FIGURE 57**  
**ROLL-IN SHOWER WITH FOLDING SEAT**



**Fig. 57**  
**Roll-in Shower with Folding Seat**

**C. ADAAG 9.1.3:** In addition to the accessible sleeping rooms and suites required by item B, sleeping rooms and suites that comply with part 1341.0930 shall be provided in conformance with the following table:

<u>Number of Elements</u>	<u>Accessible Elements</u>
<u>1 to 25</u>	<u>1</u>
<u>25 to 50</u>	<u>2</u>
<u>51 to 75</u>	<u>3</u>
<u>76 to 100</u>	<u>4</u>
<u>101 to 150</u>	<u>5</u>
<u>151 to 200</u>	<u>6</u>
<u>201 to 300</u>	<u>7</u>
<u>301 to 400</u>	<u>8</u>
<u>401 to 500</u>	<u>9</u>
<u>501 to 1,000</u>	<u>2 percent of total</u>
<u>1,001 and over</u>	<u>20, plus one for each 100 over 1,000</u>

**D. ADAAG 9.1.4:** Classes of sleeping accommodations are as described in subitems (1) and (2).

(1) **ADAAG 9.1.4(1):** To provide persons with disabilities a range of options equivalent to those available to other persons served by the facility, sleeping rooms and suites required to be accessible by item B shall be dispersed among the various classes of sleeping accommodations available to patrons of the place of transient lodging. Factors to be considered include room size, cost, amenities provided, and number of beds provided. Dispersion of accessible rooms shall not increase the number of accessible rooms required.

(2) **ADAAG 9.1.4(2):** For purposes of parts 1341.0910 to 1341.0950, equivalent facilitation means the operator of a facility elects to limit construction of accessible rooms to those intended for multiple occupancy, provided that the rooms are made available at the cost of a single occupancy room to an individual with disabilities who requests a single-occupancy room.

**E. ADAAG 9.1.5:** If sleeping rooms are being altered in an existing facility or a portion of the facility subject to the requirements of this part, at least one sleeping room or suite that complies with parts 1341.0920 and 1341.0930 shall be provided for each 25 sleeping rooms, or fraction of them, of rooms being altered until the number of the rooms provided equals the number required to be accessible with item B. In addition, at least one sleeping room or suite that complies with part 1341.0930 shall be provided for each 25 sleeping rooms, or fraction of them, of rooms being altered until the number of the rooms equals the number required to be accessible by item C.

**1341.0920 ADAAG 9.2: REQUIREMENTS FOR ACCESSIBLE UNITS, SLEEPING ROOMS, AND SUITES.**

Subpart 1. ADAAG 9.2.1: General. Units, sleeping rooms, and suites required to be accessible by part 1341.0910 shall comply with this part.

Subp. 2. ADAAG 9.2.2: Minimum requirements. An accessible unit, sleeping room, or suite shall be on an accessible route complying with part 1341.0422 and have the accessible elements and spaces in items A to H.

A. ADAAG 9.2.2(1): Accessible sleeping rooms shall have a 36-inch (915-mm) clear width maneuvering space located along both sides of a bed, except that where two beds are provided, this requirement can be met by providing a 36-inch (915-mm) wide maneuvering space located between the two beds.

B. ADAAG 9.2.2(2): An accessible route complying with part 1341.0422 shall connect all accessible spaces and elements, including telephones, within the unit, sleeping room, or suite. This is not intended to require an elevator in multistory units as long as the spaces identified in items F and G are on accessible levels and the accessible sleeping area is suitable for dual occupancy.

C. ADAAG 9.2.2(3): Doors and doorways designed to allow passage into and within all sleeping rooms, suites, or other covered units shall comply with part 1341.0442.

D. ADAAG 9.2.2(4): If fixed or built-in storage facilities such as cabinets, shelves, closets, and drawers are provided in accessible spaces, at least one of each type provided shall contain storage space complying with part 1341.0466. Additional storage may be provided outside of the dimensions required by part 1341.0466.

E. ADAAG 9.2.2(5): All controls in accessible units, sleeping rooms, and suites shall comply with part 1341.0470.

F. ADAAG 9.2.2(6): If provided as part of an accessible unit, sleeping room, or suite, the following spaces shall be accessible and shall be on an accessible route:

- (1) ADAAG 9.2.2(6)(a): the living area;
- (2) ADAAG 9.2.2(6)(b): the dining area;
- (3) ADAAG 9.2.2(6)(c): at least one sleeping area;
- (4) ADAAG 9.2.2(6)(d): patios, terraces, or balconies;

EXCEPTION: The requirements of parts 1341.0422, subpart 8; and 1341.0442, subpart 8, do not apply if it is necessary to use a higher door threshold or a change in level to protect the integrity of the unit from wind or water damage. If this exception results in patios, terraces, or balconies that are not at an accessible level, equivalent facilitation shall be provided, such as raised decking or a ramp to provide accessibility;

- (5) ADAAG 9.2.2(6)(e): at least one full bathroom, such as one with a water closet, a lavatory, and a bathtub or shower;
- (6) ADAAG 9.2.2(6)(f): if only half baths are provided, at least one half bath; and
- (7) ADAAG 9.2.2(6)(g): carports, garages, or parking spaces.

G. ADAAG 9.2.2(7): If provided as an accessory to a sleeping room or suite, kitchens, kitchenettes, wet bars, or similar amenities shall be accessible. Clear floor space for a front or parallel approach to cabinets, counters, sinks, and appliances shall be provided to comply with part 1341.0420, subpart 4. Counter tops and sinks shall be mounted at a maximum height of 34 inches (865 mm) above the floor. At least 50 percent of shelf space in cabinets or refrigerator/freezers shall be within the reach ranges of part 1341.0420, subpart 5 or 6, and space shall be designed to allow for the operation of cabinet and appliance doors so that all cabinets and appliances are accessible and usable. Controls and operating mechanisms shall comply with part 1341.0470.

H. ADAAG 9.2.2(8): Sleeping room accommodations for persons with hearing impairments required by part 1341.0910 and complying with part 1341.0930 shall be provided in the accessible sleeping room or suite.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

### **1341.0930 ADAAG 9.3: VISUAL ALARMS, NOTIFICATION DEVICES, AND TELEPHONES.**

Subpart 1. ADAAG 9.3.1: General. In sleeping rooms required to comply with parts 1341.0910 to 1341.0950, auxiliary visual alarms shall be provided and shall comply with part 1341.0472, subpart 4. Visual notification devices shall also be provided in units, sleeping rooms, and suites to alert room occupants of incoming telephone calls and a door knock or bell. Notification devices shall not be connected to auxiliary visual alarm signal appliances. Permanently installed telephones shall have volume controls complying with part 1341.0478, subpart 5. An accessible electrical outlet within four feet (1220 mm) of a telephone connection shall be provided to facilitate the use of a TTY.

Subp. 2. ADAAG 9.3.2: Equivalent facilitation. For purposes of parts 1341.0910 to 1341.0950, equivalent facilitation shall include the installation of electrical outlets, including outlets connected to a facility's central alarm system, and telephone wiring in sleeping rooms and suites to enable persons with hearing impairments to use portable visual alarms and communication devices provided by the operator of the facility.

### **1341.0940 ADAAG 9.4: OTHER SLEEPING ROOMS AND SUITES.**

Doors and doorways designed to allow passage into and within all sleeping units not required to be accessible shall comply with part 1341.0442, subpart 5.

### **1341.0950 ADAAG 9.5: TRANSIENT LODGING IN HOMELESS SHELTERS, HALFWAY HOUSES, TRANSIENT GROUP HOMES, AND OTHER SOCIAL SERVICE ESTABLISHMENTS.**

Subpart 1. ADAAG 9.5.1: New construction. In new construction, all public use and common use areas are required to be designed and constructed to comply with parts 1341.0401 to 1341.0488.

EXCEPTION: If elevators are not provided as allowed in part 1341.0405, item E, accessible amenities are not required on inaccessible floors as long as one of each type is provided in common areas on accessible floors.

#### Subp. 2. ADAAG 9.5.2: Alterations.

##### A. ADAAG 9.5.2(1): For social service establishments that are not homeless shelters:

(1) ADAAG 9.5.2(1)(a): subpart 3 and part 1341.0910, item E, apply to sleeping rooms and beds; and

(2) ADAAG 9.5.2(1)(b): alteration of other areas shall be consistent with the new construction provisions of subpart 1.

##### B. ADAAG 9.5.2(2): Subitems (1) to (6) govern alterations to homeless shelters.

(1) ADAAG 9.5.2(2)(a): At least one public entrance shall be accessible and be located on an accessible route.

(2) ADAAG 9.5.2(2)(b): Sleeping space for homeless persons as provided in the scoping provisions of part 1341.0910, item B, shall include doors to the sleeping area with a minimum clear width of 32 inches (815 mm) and maneuvering space around the beds for persons with mobility impairments complying with part 1341.0920, subpart 2, item A.

(3) ADAAG 9.5.2(2)(c): At least one toilet room for each gender or one unisex toilet room shall have a minimum clear door width of 32 inches (815 mm), a minimum turning space complying with part 1341.0420, subpart 3, one water closet complying with part 1341.0448, one lavatory complying with part 1341.0454 with a privacy latch on the door, and, if provided, at least one bathtub or shower shall comply with part 1341.0456 or 1341.0458, respectively.

(4) ADAAG 9.5.2(2)(d): At least one common area shall be located on an accessible route.

(5) ADAAG 9.5.2(2)(e): At least one accessible route shall be provided connecting subitems (1) to (4).

(6) ADAAG 9.5.2(2)(f): Homeless shelters can comply with subitems (1) to (5) by providing the elements in subitems (1) to (5) on one accessible floor.

Subp. 3. ADAAG 9.5.3: Accessible sleeping accommodations in new construction. Accessible sleeping rooms shall be provided in conformance with the table in part 1341.0910, item B, and shall comply with parts 1341.0920 and 1341.0930. Additional sleeping rooms that comply with part 1341.0930 shall be provided in conformance with the table in part 1341.0910, item C.

In facilities with multibed rooms or spaces, a percentage of the beds equal to those in the table in part 1341.0910, item B, shall comply with part 1341.0920, subpart 2, item A.

## TRANSPORTATION FACILITIES

### **1341.1010 ADAAG 10.1: GENERAL.**

Every station, bus stop, bus stop pad, terminal, building, or other transportation facility shall comply with parts 1341.0401 to 1341.1050.

### **1341.1020 ADAAG 10.2: BUS STOPS AND TERMINALS.**

#### Subpart 1. ADAAG 10.2.1: New construction.

A. **ADAAG 10.2.1(1):** New bus stop pads constructed at bus stops, bays, or other areas where a lift or ramp is to be deployed shall have a firm, stable surface; have a minimum clear length of 96 inches (2,440 mm), measured from the curb or vehicle roadway edge, and a minimum clear width of 60 inches (1,525 mm), measured parallel to the vehicle roadway, to the maximum extent allowed by legal or site constraints; and be connected to streets, sidewalks, or pedestrian paths by an accessible route complying with parts 1341.0422 and 1341.0424. The slope of the pad parallel to the roadway shall, to the extent practicable, be the same as the roadway. For water drainage, a maximum slope of 1:50 (two percent) perpendicular to the roadway is allowed.

B. **ADAAG 10.2.1(2):** Any new or replaced bus shelters shall be installed or positioned to permit a wheelchair or mobility aid user to enter from the public way and to reach a location, having a minimum clear floor area of 30 inches (760 mm) by 48 inches (1,220 mm), entirely within the perimeter of the shelter. The shelters shall be connected by an accessible route to the boarding area provided under item A.

C. **ADAAG 10.2.1(3):** Any new bus route identification signs shall comply with part 1341.0476, subpart 5. In addition, to the maximum extent practicable, all new bus route identification signs shall comply with part 1341.0476, subparts 2 and 3. Signs that are sized to the maximum dimensions permitted under legitimate local, state, or federal regulations or ordinances shall be considered in compliance with part 1341.0476, subparts 2 and 3, for purposes of this part.

EXCEPTION: Bus schedules, timetables, or maps that are posted at the bus stop or bus bay are not required to comply with this item.

**Subp. 2. ADAAG 10.2.2: Bus stop siting and alterations.**

A. **ADAAG 10.2.2(1):** Bus stop sites shall be chosen so that, to the maximum extent practicable, the areas where lifts or ramps are to be deployed comply with subpart 1, items A and B.

B. **ADAAG 10.2.2(2):** If new bus route identification signs are installed or old signs are replaced, they shall comply with subpart 1, item C.

**1341.1030 ADAAG 10.3: FIXED FACILITIES AND STATIONS.**

**Subpart 1. ADAAG 10.3.1: New construction.** New stations in rapid rail, light rail, commuter rail, intercity bus, intercity rail, high speed rail, and other fixed guideway systems such as automated guideway transit or monorails shall comply with items A to S.

A. **ADAAG 10.3.1(1):** Elements such as ramps, elevators, or other circulation devices; fare vending or other ticketing areas; and fare collection areas shall be placed to minimize the distance that wheelchair users and other persons who cannot negotiate steps may have to travel compared to the general public. The circulation path, including an accessible entrance and an accessible route, for persons with disabilities shall, to the maximum extent practicable, coincide with the circulation path for the general public. If the circulation path is different, signage complying with part 1341.0476, subparts 1, 2, 3, 5, and 7, item A, shall be provided to indicate direction to and identify the accessible entrance and accessible route.

B. **ADAAG 10.3.1(2):** If different entrances to a station serve different transportation fixed routes or groups of fixed routes, at least one entrance serving each group or route shall comply with part 1341.0444. All accessible entrances shall, to the maximum extent practicable, coincide with those used by the majority of the general public.

C. **ADAAG 10.3.1(3):** Direct connections to commercial, retail, or residential facilities shall have an accessible route complying with part 1341.0422 from the point of connection to boarding platforms and all transportation system elements used by the public. Any elements provided to facilitate future direct connections shall be on an accessible route connecting boarding platforms and all transportation system elements used by the public.

D. **ADAAG 10.3.1(4):** If signs are provided at entrances to stations identifying the station or the entrance, or both, at least one sign at each entrance shall comply with part 1341.0476, subparts 4 and 6. The signs shall be placed in uniform locations at entrances within the transit system to the maximum extent practicable.

EXCEPTION: If the station has no defined entrance, but signage is provided, then the accessible signage shall be placed in a central location.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

**E. ADAAG 10.3.1(5):** Stations covered by parts 1341.1010 to 1341.1050 shall have identification signs complying with part 1341.0476, subparts 1, 2, 3, and 5. Signs shall be placed at frequent intervals and shall be clearly visible from within the vehicle on both sides when not obstructed by another train. If station identification signs are placed close to vehicle windows, such as on the side opposite from boarding, each shall have the top of the highest letter or symbol below the top of the vehicle window and the bottom of the lowest letter or symbol above the horizontal midline of the vehicle window.

**F. ADAAG 10.3.1(6):** Lists of stations, routes, or destinations served by the station and located on boarding areas, platforms, or mezzanines shall comply with part 1341.0476, subparts 1, 2, 3, and 5. A minimum of one sign identifying the specific station and complying with part 1341.0476, subparts 4 and 6, shall be provided on each platform or boarding area. All signs described in this item shall, to the maximum extent practicable, be placed in uniform locations within the transit system.

**G. ADAAG 10.3.1(7):** Automatic fare vending, collection, and adjustment or add-fare systems shall comply with part 1341.0484, subparts 2, 3, 4, and 5. At each accessible entrance, the devices shall be located on an accessible route. If self-service fare collection devices are provided for the use of the general public, at least one accessible device for entering, and at least one for exiting, unless one device serves both functions, shall be provided at each accessible point of entry or exit. Accessible fare collection devices shall have a minimum clear opening width of 32 inches (815 mm); shall permit passage of a wheelchair; and, where provided, coin or card slots and controls necessary for operation shall comply with part 1341.0470. Gates that must be pushed open by wheelchair or mobility aid users shall have a smooth continuous surface extending from two inches (50 mm) to 27 inches (685 mm) above the floor and shall comply with part 1341.0442. If the circulation path does not coincide with that used by the general public, accessible fare collection systems shall be located at or adjacent to the accessible point of entry or exit.

**H. ADAAG 10.3.1(8):** Platform edges bordering a drop-off and not protected by platform screens or guard rails shall have a detectable warning. The detectable warning shall comply with part 1341.0474, subpart 2, and shall be 24 inches (610 mm) wide running the full length of the platform drop-off.

**I. ADAAG 10.3.1(9):** In stations covered by parts 1341.1010 to 1341.1050, rail-to-platform height in new stations shall be coordinated with the floor height of new vehicles so that the vertical difference, measured when the vehicle is at rest, is within plus or minus five-eighths inch (16 mm) under normal passenger load conditions. For rapid rail, light rail, commuter rail, high speed rail, and intercity rail systems in new stations, the horizontal gap, measured when the new vehicle is at rest, shall be no greater than three inches (75 mm). For slow moving automated guideway people mover transit systems, the horizontal gap in new stations shall be no greater than one inch (25 mm).

**EXCEPTION 1:** Existing vehicles operating in new stations may have a vertical difference with respect to the new platform within plus or minus 1-1/2 inches (37 mm).

**EXCEPTION 2:** In light rail, commuter rail, and intercity rail systems where it is not operationally or structurally feasible to meet the horizontal gap or vertical difference requirements, mini-high platforms, car-borne or platform-mounted lifts, ramps or bridge plates, or similar manually deployed devices shall suffice.

**J. ADAAG 10.3.1(10):** Stations shall not be designed or constructed to require persons with disabilities to board or alight from a vehicle at a location other than one used by the general public.

**K. ADAAG 10.3.1(11):** Illumination levels in the areas where signage is located shall be uniform and shall minimize glare on signs. Lighting along circulation routes shall be of a type and configuration to provide uniform illumination.

**L. ADAAG 10.3.1(12):** If provided, public telephones shall be provided according to part 1341.0405, item Q.

**M. ADAAG 10.3.1(13):** If it is necessary to cross tracks to reach boarding platforms, the route surface shall be level and flush with the rail top at the outer edge and between the rails, except for a maximum 2-1/2 inch (62 mm) gap on the inner edge of each rail to permit passage of wheel flanges. The crossings shall comply with part 1341.0474, subpart 5. If gap reduction is not practicable, an above-grade or below-grade accessible route shall be provided.

**N. ADAAG 10.3.1(14):** If public address systems are provided to convey information to the public in terminals, stations, or other fixed facilities, a means of conveying the same or equivalent information to persons with hearing loss or who are deaf shall be provided.

**O. ADAAG 10.3.1(15):** If clocks are provided for use by the general public, the clock face shall be uncluttered so that its elements are clearly visible. Hands, numerals, or digits shall contrast with the background either light-on-dark or dark-on-light. If clocks are mounted overhead, numerals or digits shall comply with part 1341.0476, subpart 3. Clocks shall be placed in uniform locations throughout the facility and system to the maximum extent practicable.

**P. ADAAG 10.3.1(16):** If provided in below-grade stations, escalators shall have a minimum clear width of 32 inches (815 mm). At the top and bottom of each escalator run, at least two contiguous treads shall be level beyond the comb plate before the risers begin to form. All escalator treads shall be marked by a strip of clearly contrasting color, two inches (50 mm) in width, placed parallel to and on the nose of each step. The strip shall be of a material that is at least as slip-resistant as the remainder of the tread. The edge of the tread shall be apparent from both ascending and descending directions.

**Q. ADAAG 10.3.1(17):** Any elevators shall be glazed or have transparent panels to allow an unobstructed view both into and out of the car. Elevators shall comply with part 1341.0436.

**EXCEPTION:** Elevator cars with a clear floor area in which a 60-inch (1,525-mm) diameter circle can be inscribed may be substituted for the minimum car dimensions of Figure 22 in part 1341.0436, subpart 9.

**R. ADAAG 10.3.1(18):** Any ticketing areas shall permit persons with disabilities to obtain a ticket and check baggage and shall comply with part 1341.0720.

**S. ADAAG 10.3.1(19):** Any baggage check-in and retrieval systems shall be on an accessible route complying with part 1341.0422 and shall have space immediately adjacent complying with part 1341.0420. If unattended security barriers are provided, at least one gate shall comply with part 1341.0442. Gates that must be pushed open by wheelchair or mobility aid users shall have a smooth, continuous surface extending from two inches (50 mm) to 27 inches (685 mm) above the floor.

**Subp. 2. ADAAG 10.3.2: Existing facilities; key stations.** Alterations to existing facilities shall comply with parts 1341.0401 to 1341.0488 unless technically infeasible.

### **1341.1040 ADAAG 10.4 and 10.4.1: AIRPORTS; NEW CONSTRUCTION.**

**Subpart 1. ADAAG 10.4.1(1): Minimized travel distance.** Elements such as ramps, elevators or other vertical circulation devices, ticketing areas, security checkpoints, or passenger waiting areas shall be placed to minimize the distance that wheelchair users and other persons who cannot negotiate steps may have to travel compared to the general public.

**Subp. 2. ADAAG 10.4.1(2): Circulation path.** The circulation path, including an accessible entrance and an accessible route, for persons with disabilities shall, to the maximum extent practicable, coincide with the circulation path for the general public. If the circulation path is different, directional signage complying with part 1341.0476, subparts 1, 2, 3, and 5, shall be provided that indicates the location of the nearest accessible entrance and its accessible route.

**Subp. 3. ADAAG 10.4.1(3): Ticketing areas.** Ticketing areas shall permit persons with disabilities to obtain a ticket and check baggage and shall comply with part 1341.0720.

**Subp. 4. ADAAG 10.4.1(4): Public telephones.** Any public telephones shall comply with part 1341.0405, item Q. Additionally, if public telephones are located in any of the following locations, at least one public TTY shall also be provided in that location:

- A. ADAAG 10.4.1(4)(a):** a main terminal outside the security areas;
- B. ADAAG 10.4.1(4)(b):** a concourse within the security areas; or
- C. ADAAG 10.4.1(4)(c):** a baggage claim area in a terminal.

**Subp. 5. ADAAG 10.4.1(5): Baggage systems.** Baggage check-in and retrieval systems shall be on an accessible route complying with part 1341.0422 and shall have space immediately adjacent complying with part 1341.0420, subpart 4. If unattended security barriers are provided, at least one gate shall comply with part 1341.0442. Gates that must be pushed open by wheelchair or mobility aid users shall have a smooth, continuous surface extending from two inches (50 mm) to 27 inches (685 mm) above the floor.

**Subp. 6. ADAAG 10.4.1(6): Terminal information systems.** Terminal information systems that broadcast information to the general public through a public address system shall provide a means to provide the same or equivalent information to persons with hearing loss or who are deaf. The methods may include, but are not limited to, visual paging systems using video monitors and computer technology. For persons with certain types of hearing loss, the methods may include, but are not limited to, an assistive listening system complying with part 1341.0482, subpart 7.

**Subp. 7. ADAAG 10.4.1(7): Clocks.** If clocks are provided for use by the general public, the clock face shall be uncluttered so that its elements are clearly visible. Hands, numerals, or digits shall contrast with their background either light-on-dark or dark-on-light. If clocks are mounted overhead, numerals or digits shall comply with part 1341.0476, subpart 3. Clocks shall be placed in uniform locations throughout the facility to the maximum extent practicable.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

---

**Subp. 8. ADAAG 10.4.1(8): Security systems.** In public facilities that are airports, at least one accessible route complying with part 1341.0422 shall be provided through fixed security barriers at each single barrier or group of security barriers. A group is two or more security barriers immediately adjacent to each other at a single location. If security barriers incorporate equipment such as metal detectors, fluoroscopes, or other similar devices that cannot be made accessible, an accessible route shall be provided adjacent to the security screening devices to facilitate an equivalent circulation path. The circulation path shall permit persons with disabilities passing through security barriers to maintain visual contact with their personal items to the same extent provided other members of the general public.

**EXCEPTION:** Doors, doorways, and gates designed to be operated only by security personnel shall be exempt from part 1341.0442, subparts 9, 11, and 12.

### JUDICIAL, LEGISLATIVE, AND REGULATORY FACILITIES

#### **1341.1110 ADAAG 11.1: GENERAL.**

In addition to the requirements in parts 1341.0401 to 1341.0488 and this part, judicial facilities shall comply with part 1341.1120 and legislative and regulatory facilities shall comply with part 1341.1130.

**A. ADAAG 11.1.1:** If provided, at least one restricted entrance and one secured entrance to the facility shall be accessible in addition to the entrances required to be accessible by part 1341.0405, item H. Restricted entrances are those entrances used only by judges, public officials, facility personnel, or other authorized parties on a controlled basis. Secured entrances are those entrances to judicial facilities used only by detainees and detention officers.

**EXCEPTION:** At secured entrances, doors and doorways operated only by security personnel shall be exempt from part 1341.0442, subparts 9 to 12.

**B. ADAAG 11.1.2:** An accessible route complying with part 1341.0422 shall be provided through fixed security barriers at required accessible entrances. If security barriers incorporate equipment such as metal detectors, fluoroscopes, or other similar devices that cannot be made accessible, an accessible route shall be provided adjacent to the security screening devices to facilitate an equivalent circulation path.

**C. ADAAG 11.1.3:** If a two-way communication system is provided to gain admittance to a facility or to restricted areas within the facility, the system shall provide both visual and audible signals and shall comply with part 1341.0470.

#### **1341.1120 ADAAG 11.2: JUDICIAL FACILITIES.**

##### **Subpart 1. ADAAG 11.2.1: Courtrooms.**

**A. ADAAG 11.2.1(1):** Any elements and spaces in subitems (1) to (3) shall be on an accessible route complying with part 1341.0422. Areas that are raised or depressed and accessed by ramps or platform lifts with entry ramps shall provide unobstructed turning space complying with part 1341.0420, subpart 3.

**EXCEPTION:** Vertical access to raised judges' benches or courtroom stations need not be installed provided that the requisite areas, maneuvering spaces, and, if appropriate, electrical service are installed at the time of initial construction to allow future installation of a means of vertical access complying with part 1341.0432, 1341.0436, or 1341.0438 without requiring substantial reconstruction of the space.

**(1) ADAAG 11.2.1(1)(a):** If spectator, press, or other areas with fixed seats are provided, each type of seating area shall comply with part 1341.0405, item S, subitem (1).

**(2) ADAAG 11.2.1(1)(b):** Each jury box and witness stand shall have within its defined area clear floor space complying with part 1341.0420, subpart 4.

**EXCEPTION:** In alterations, accessible wheelchair spaces are not required to be located within the defined area of raised jury boxes or witness stands and may be located outside the spaces where ramp or lift access poses a hazard by restricting or projecting into a means of egress required by chapter 10 of the UBC.

**(3) ADAAG 11.2.1(1)(c):** Judges' benches, clerks' stations, bailiffs' stations, deputy clerks' stations, court reporters' stations, and litigants' and counsel stations shall comply with part 1341.0480.

**B. ADAAG 11.2.1(2):** Permanently installed assistive listening systems complying with part 1341.0482 shall be provided in each courtroom. The minimum number of receivers shall be four percent of the room occupant load, but not less than two receivers. An informational sign indicating the availability of an assistive listening system and complying with part 1341.0476, subparts 1, 2, 3, 5, and 7, item D, shall be posted in a prominent place.

**Subp. 2. ADAAG 11.2.2: Jury assembly areas and jury deliberation areas.** If provided in areas used for jury assembly or deliberation, the elements or spaces in items A and B shall be on an accessible route complying with part 1341.0422 and shall comply with items A and B.

A. **ADAAG 11.2.2(1)**: Refreshment areas, kitchenettes, and fixed or built-in refreshment dispensers shall comply with part 1341.0920, subpart 2, item G.

B. **ADAAG 11.2.2(2)**: If provided in rooms covered under this subpart, there shall be a drinking fountain in each room complying with part 1341.0446.

Subp. 3. **ADAAG 11.2.3: Courthouse holding facilities.** This subpart governs courthouse holding facilities.

A. **ADAAG 11.2.3(1)**: Any facilities for detainees, including central holding cells and court-floor holding cells, shall comply with subitems (1) and (2).

(1) **ADAAG 11.2.3(1)(a)**: If separate central holding cells are provided for adult male, juvenile male, adult female, or juvenile female, one of each type shall comply with item B. If central-holding cells that are not separated by age or sex are provided, at least one cell complying with item B shall be provided.

(2) **ADAAG 11.2.3(1)(b)**: If separate court-floor holding cells are provided for adult male, juvenile male, adult female, or juvenile female, each courtroom shall be served by one cell of each type complying with item B. If court-floor holding cells that are not separated by age or sex are provided, courtrooms shall be served by at least one cell complying with item B. Cells may serve more than one courtroom.

B. **ADAAG 11.2.3(2)**: Accessible cells shall be on an accessible route complying with part 1341.0422. If provided, the elements or spaces in subitems (1) to (6) serving accessible cells shall be accessible and on an accessible route.

(1) **ADAAG 11.2.3(2)(a)**: All doors and doorways to accessible spaces and on an accessible route shall comply with part 1341.0442.

EXCEPTION: Doors and doorways operated only by security personnel shall be exempt from part 1341.0442, subparts 9 to 12.

(2) **ADAAG 11.2.3(2)(b)**: Toilet facilities shall comply with part 1341.0460 and bathing facilities shall comply with part 1341.0462. Privacy screens shall not intrude on the clear floor space required for fixtures or the accessible route.

(3) **ADAAG 11.2.3(2)(c)**: Beds shall have maneuvering space at least 36 inches (915 mm) wide along one side. If more than one bed is provided in a cell, the maneuvering space provided at adjacent beds may overlap.

(4) **ADAAG 11.2.3(2)(d)**: Drinking fountains shall be accessible to individuals who use wheelchairs according to part 1341.0446 and shall be accessible to those who have difficulty bending or stooping. This can be accomplished by the use of a hi-lo fountain; by providing one fountain accessible to those who use wheelchairs and one fountain at a standard height convenient for those who have difficulty bending; by providing a fountain accessible under part 1341.0446 and a water cooler; or by other means that would achieve the required accessibility for each group.

(5) **ADAAG 11.2.3(2)(e)**: Fixed or built-in seating, tables, or counters shall comply with part 1341.0480.

(6) **ADAAG 11.2.3(2)(f)**: Fixed benches shall be mounted at 17 inches (430 mm) to 19 inches (485 mm) above the finished floor and provide back support, such as attachment to a wall. The structural strength of the bench attachments shall comply with part 1341.0468, subpart 3.

C. **ADAAG 11.2.3(3)**: The elements in subitems (1) and (2), if provided, shall be located on an accessible route complying with part 1341.0422 and shall otherwise comply with this item.

(1) **ADAAG 11.2.3(3)(a)**: Five percent, but not less than one, of fixed cubicles shall comply with part 1341.0480 on both the visitor and detainee sides. If counters are provided, a portion at least 36 inches (915 mm) in length shall comply with part 1341.0480 on both the visitor and detainee sides.

(2) **ADAAG 11.2.3(3)(b)**: Solid partitions or security glazing that separate visitors from detainees shall comply with part 1341.0720, subpart 3.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

### **1341.1130 ADAAG 11.3: LEGISLATIVE AND REGULATORY FACILITIES.**

Assembly areas designated for public use, including public meeting rooms, hearing rooms, and chambers, shall comply with this part.

A. ADAAG 11.3.1: If provided, the elements and spaces in subitems (1) and (2) shall be on an accessible route complying with part 1341.0422. Areas that are raised or depressed and accessed by ramps or platform lifts with entry ramps shall provide unobstructed turning space complying with part 1341.0420, subpart 3.

(1) ADAAG 11.3.1(1): If raised speakers' platforms are provided, at least one of each type shall be accessible.

(2) ADAAG 11.3.1(2): If spectator, press, or other areas with fixed seats are provided, each type of seating area shall comply part 1341.0405, item S, subitem (1).

B. ADAAG 11.3.2: Each assembly area provided with a permanently installed audio-amplification system shall have a permanently installed assistive listening system. The minimum number of receivers shall be four percent of the room occupant load, but not less than two receivers. An informational sign indicating the availability of an assistive listening system and complying with part 1341.4076, subparts 1, 2, 3, 5, and 7, item D, shall be posted in a prominent place.

### **DETENTION AND CORRECTIONAL FACILITIES**

### **1341.1210 ADAAG 12.1: GENERAL.**

Parts 1341.1210 to 1341.1260 apply to jails, holding cells in police stations, prisons, juvenile detention centers, reformatories, and other institutional occupancies where occupants are under some degree of restraint or restriction for security reasons. Except as specified in parts 1341.1210 to 1341.1260, detention and correctional facilities shall comply with parts 1341.0401 to 1341.0488. All common use areas serving accessible cells or rooms and all public use areas are required to be designed and constructed to comply with parts 1341.0401 to 1341.0488.

EXCEPTION: Requirements for areas of rescue assistance in parts 1341.0405, item I; and 1341.0422, subparts 10 and 11, do not apply. Compliance with requirements for elevators in part 1341.0405, item E, and stairs in part 1341.0405, item D, is not required in multistory housing facilities where accessible cells or rooms, all common use areas serving them, and all public use areas are on an accessible route. Compliance with part 1341.0405, item P, is not required in areas other than public use areas.

### **1341.1220 ADAAG 12.2: ENTRANCES AND SECURITY SYSTEMS.**

Subpart 1. ADAAG 12.2.1: Entrances. Entrances used by the public, including those that are secured, shall be accessible as required by part 1341.0405, item H.

EXCEPTION: Compliance with part 1341.0442, subparts 9, 10, 11, and 12, is not required at entrances, doors, or doorways that are operated only by security personnel or where security requirements prohibit full compliance with those provisions.

Subp. 2. ADAAG 12.2.2: Security systems. If security systems are provided at public or other entrances required to be accessible by this part, an accessible route complying with part 1341.0422 shall be provided through fixed security barriers. If security barriers incorporate equipment such as metal detectors, fluoroscopes, or other similar devices that cannot be made accessible, an accessible route shall be provided adjacent to the security screening devices to facilitate an equivalent circulation path.

### **1341.1230 ADAAG 12.3: VISITING AREAS.**

In noncontact visiting areas where inmates or detainees are separated from visitors, the elements in items A and B, if provided, shall be accessible and located on an accessible route complying with part 1341.0422.

A. ADAAG 12.3(1): Five percent, but not less than one, of fixed cubicles shall comply with part 1341.0480 on both the visitor and detainee or inmate sides. If accessible cubicles are enclosed or provided in rooms, a turning space complying with part 1341.0420, subpart 3, shall be provided within the cubicle or room on both the visitor and detainee or inmate sides. If counters are provided, a portion at least 36 inches (915 mm) in length shall comply with part 1341.0480 on both the visitor and detainee or inmate sides.

EXCEPTION: At noncontact visiting areas not serving accessible cells or rooms, the requirements of this item do not apply to the inmate or detainee side of cubicles or counters.

B. ADAAG 12.3(2): Solid partitions or security glazing separating visitors from inmates or detainees shall comply with part 1341.0720, subpart 3.

### **1341.1240 ADAAG 12.4: HOLDING AND HOUSING CELLS OR ROOMS; MINIMUM NUMBER.**

Subpart 1. ADAAG 12.4.1: Holding cells and general housing cells or rooms. At least two percent, but not less than one, of the total number of housing or holding cells or rooms provided in a facility shall comply with part 1341.1250.

Subp. 2. ADAAG 12.4.2: Special holding and housing cells or rooms. In addition to the requirements of subpart 1, if special holding or housing cells or rooms are provided, at least one serving each purpose shall comply with part 1341.1250. Cells or rooms subject to this part include, but are not limited to, those used for purposes of orientation, protective custody, administrative or disciplinary detention, or segregation, detoxification, and medical isolation.

EXCEPTION: Cells or rooms specially designed without protrusions and to be used solely for purposes of suicide prevention are exempt from the requirement for grab bars at water closets in part 1341.0448, subpart 4.

**Subp. 3. ADAAG 12.4.3: Accessible cells or rooms for persons with hearing impairments.** In addition to the requirements of subpart 1, two percent, but not less than one, of general housing or holding cells or rooms equipped with audible emergency warning systems or permanently installed telephones within the cell or room shall comply with part 1341.1260.

**Subp. 4. ADAAG 12.4.4: Medical care facilities.** Medical care facilities providing physical or medical treatment or care shall comply with parts 1341.0610, 1341.0630, and 1341.0640, if persons may need assistance in emergencies and the period of stay may exceed 24 hours. Patient bedrooms or cells required to be accessible under parts 1341.0610 and 1341.0630 shall be provided in addition to any medical isolation cells required to be accessible under subpart 2.

### **1341.1250 ADAAG 12.5: REQUIREMENTS FOR ACCESSIBLE CELLS OR ROOMS.**

**Subpart 1. ADAAG 12.5.1: General.** Cells or rooms required to be accessible by part 1341.1240 shall comply with this part.

**Subp. 2. ADAAG 12.5.2: Minimum requirements.** Accessible cells or rooms shall be on an accessible route complying with part 1341.0422. If provided to serve accessible housing or holding cells or rooms, the elements or spaces in items A to I shall be accessible and connected by an accessible route.

**A. ADAAG 12.5.2(1):** All doors and doorways on an accessible route shall comply with part 1341.0442.

EXCEPTION: Compliance with part 1341.0442, subparts 9 to 12, is not required at entrances, doors, or doorways that are operated only by security personnel or where security requirements prohibit full compliance with those provisions.

**B. ADAAG 12.5.2(2):** At least one toilet facility shall comply with part 1341.0460 and one bathing facility shall comply with part 1341.0462. Privacy screens shall not intrude on the clear floor space required for fixtures and the accessible route.

**C. ADAAG 12.5.2(3):** Beds shall have maneuvering space at least 36 inches (915 mm) wide along one side. If more than one bed is provided in a room or cell, the maneuvering space provided at adjacent beds may overlap.

**D. ADAAG 12.5.2(4):** At least one drinking fountain shall comply with part 1341.0446.

**E. ADAAG 12.5.2(5):** Five percent, but not less than one, of the fixed or built-in seating, tables, and counters shall comply with part 1341.0480.

**F. ADAAG 12.5.2(6):** At least one fixed bench shall be mounted at 17 inches (430 mm) to 19 inches (485 mm) above the finished floor and provide back support, such as attachment to a wall. The structural strength of the bench attachments shall comply with part 1341.0468, subpart 3.

**G. ADAAG 12.5.2(7):** Fixed or built-in storage facilities, such as cabinets, shelves, closets, and drawers, shall contain storage space complying with part 1341.0466.

**H. ADAAG 12.5.2(8):** All controls intended for operation by inmates shall comply with part 1341.0470.

**I. ADAAG 12.5.2(9):** Accommodations for persons with hearing impairments required by part 1341.1240, subpart 3, and complying with part 1341.1260 shall be provided in accessible cells or rooms.

### **1341.1260 ADAAG 12.6: VISUAL ALARMS AND TELEPHONES.**

If audible emergency warning systems are provided to serve the occupants of holding or housing cells or rooms, visual alarms complying with part 1341.0472, subpart 4, shall be provided. If permanently installed telephones are provided within holding or housing cells or rooms, they shall have volume controls complying with part 1341.0478, subpart 5.

EXCEPTION: Visual alarms are not required where inmates or detainees are not allowed independent means of egress.

## **DWELLING UNITS**

### **1341.1610 DEFINITIONS.**

**Subpart 1. Scope.** The terms used in this chapter have the meanings given them in this part.

**Subp. 2. Adaptable dwelling units.** “Adaptable dwelling units,” when used with respect to covered multifamily dwellings, means dwelling units that include the features of adaptable design specified in parts 1341.1610 to 1341.1640.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

**Subp. 3. Accessible dwelling units.** “Accessible dwelling units,” when used with respect to covered multifamily dwellings, means dwelling units that include the features of accessible design specified in parts 1341.1610 to 1341.1640.

**Subp. 4. Bathroom.** “Bathroom” means a bathroom that includes a water closet (toilet), lavatory (sink), and bathtub or shower. For purposes of parts 1341.1610 to 1341.1640, a facility with only a water closet and lavatory is also considered a bathroom as is a compartmented bathroom. A compartmented bathroom is one in which the fixtures are distributed among interconnected rooms. A compartmented bathroom is considered a single unit and is subject to the requirements for bathrooms.

**Subp. 5. Congregate residence.** “Congregate residence” means a building or portion of a building that contains facilities for living, sleeping, and sanitation and may include facilities for eating and cooking, for occupancy by other than a family. A congregate residence may be a shelter, convent, monastery, dormitory, fraternity, or sorority house, but does not include jails, hospitals, nursing homes, hotels, or lodging houses.

**Subp. 6. Development.** “Development” means a building project consisting of one or more buildings containing dwelling units. A development may consist of several buildings having common elements or features, for example, a complex of the same type of dwelling units such as rows of single family attached, or units that share common areas such as parking or recreational facilities. If there are several buildings within a development, the total number of dwelling units provided within the development may be used to determine the number of accessible dwelling units required.

**Subp. 7. Ground floor.** “Ground floor” means a floor of a building containing dwelling units with a building entrance on an accessible route. A building may have one or more ground floors. If the first floor containing dwelling units is above grade, all units on that floor must be served by a building entrance on an accessible route. This floor shall be considered to be a ground floor. All units with separate exterior entries are also considered ground floor units.

**Subp. 8. Loft.** “Loft” means an intermediate level between the floor and ceiling of a story, located within a room or rooms of a dwelling.

**Subp. 9. Multifamily dwelling.** “Multifamily dwelling” means a building containing at least four dwelling units.

**Subp. 10. Multistory dwelling unit.** “Multistory dwelling unit” means a dwelling unit with finished living space located on one floor and the floor or floors immediately above or below it. For purposes of parts 1341.1610 to 1341.1640, split entry dwelling units shall be considered as multistory dwelling units.

**Subp. 11. Removable cabinet.** “Removable cabinet” means that the cabinet base or cabinet front can be easily removed to provide proper knee and toe clearance for a forward approach to a fixture. The removable cabinet must be removable with little effort and not require any reconstruction. Floor and wall surfaces must be constructed to match the room finish prior to installation of the removable cabinet.

**Subp. 12. Single family attached.** “Single family attached” means dwelling units with property lines between them where the dwelling units are connected to form a single structure.

**Subp. 13. Single-story dwelling unit.** “Single-story dwelling unit” means a dwelling unit with all finished living space located on one floor.

### **1341.1620 GENERAL.**

Parts 1341.1610 to 1341.1640 apply to developments of multifamily dwelling units such as apartment houses, condominiums, and single family attached with at least four dwelling units in a single building, as well as congregate residences and other similar types of living facilities.

EXCEPTION: Living facilities with at least four dwelling units in a single building and congregate residences where the anticipated length of stay is less than one year shall comply with parts 1341.0910 to 1341.0950.

For purposes of parts 1341.1610 to 1341.1640, multiple dwelling units in a single structure separated by fire walls or property lines do not constitute separate buildings.

Apartment houses are not required to provide an elevator to serve each floor. However, at a minimum, multifamily housing must comply with parts 1341.1610 to 1341.1640 as required by Table 16.2.

**TABLE 16.2  
REQUIREMENTS FOR ACCESSIBILITY IN MULTIFAMILY  
HOUSING DEVELOPMENTS**

OCCUPANCY CLASS	USE	TYPE / SIZE OF DEVELOPMENT <sup>1</sup>	ELEVATOR PROVIDED	GROUND FLOOR REQUIRED	ACCESSIBLE ROUTE TO ENTRY	ADAPTABLE UNITS	ACCESSIBLE UNITS <sup>2</sup>
R-1	apartment buildings / condominiums	4-7 one story dwelling units	Yes	Yes	All units	All units	None
			No	Yes	All ground floor units	All units on an accessible route	None
		8 or more one story dwelling units	Yes	Yes	All units	All nonaccessible units	2-percent <sup>3</sup>
			No	Yes	All ground floor units	All nonaccessible units on an accessible route	2-percent <sup>3</sup>
		4 or more multistory dwelling units	Yes	Yes	All units	Adaptable features are required on entry level <sup>4</sup>	None
			No	No	Not required	None	None
R-1 R-3	congregate residence	All	Yes	Yes	All units	None	2-percent <sup>3</sup>
			No	Yes	All ground floor units	None	2-percent <sup>3</sup>
R-3	single-family attached (townhouse)	4 or more one story dwelling units	No	Yes	All units	All units	None
		4 or more multistory dwelling units	No	No	Not required	None	None

<sup>1</sup>Number of units in a development may be a combination of one-story and multistory dwelling units. Numbers appearing in this column of the table represent the number of units in the development and not necessarily the number of a particular type of unit.

<sup>2</sup>Number of accessible units is based on total number of dwelling units provided. Accessible units shall be dispersed among the various types of dwelling units. Dispersion of accessible units shall not require an increase in the number of accessible units required.

<sup>3</sup>Accessible units are not required in owner-occupied dwelling units.

<sup>4</sup>At a minimum, the entry level shall be the main entry level, provide that a bathroom and all other rooms located on the entry level comply with parts 1341.1610 to 1341.1640, and provide an accessible route throughout the accessible level.

<sup>5</sup>At a minimum, the entry level shall be the main entry level; provide a sleeping room, full bathroom, living space and, when provided, kitchen that comply with parts 1341.1610 to 1341.1640; and provide an accessible route throughout the accessible level.

All public use and common use areas of covered developments shall be designed and constructed to be accessible according to parts 1341.0401 to 1341.0488.

**EXCEPTION:** Sales or rental offices open to the general public shall be accessible and be located on an accessible route and, where provided, shall have accessible parking.

Alterations to existing facilities shall comply with parts 1341.1610 to 1341.1640 to the extent technically feasible. No alteration shall require access beyond that required for new construction. If compliance is technically infeasible, compliance shall be obtained to the extent it is technically feasible.

**EXCEPTION:** Parts 1341.1610 to 1341.1640 shall not apply to alterations to owner-occupied dwelling units.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

### **1341.1630 SITE ACCESS.**

Each building, facility, element, and space of covered multifamily developments shall be provided with at least one accessible entrance located on an accessible route.

EXCEPTION: When multiple recreation facilities of the same type are provided and terrain does not allow for an accessible route to the recreational facility, at a minimum, 25 percent of recreational facilities must be located on an accessible route. Accessible facilities shall be evenly dispersed throughout the site.

An accessible route shall be provided from public transportation stops, accessible parking spaces, accessible passenger loading zones, and public streets or sidewalks to accessible building entrances. If an enclosed accessible route of travel is provided from dwelling units to parking spaces, an enclosed accessible route of travel must be provided to the accessible parking spaces required by part 1341.0403, item E. If accessible dwelling units are required, accessible parking spaces shall be located nearest those units.

If an accessible route cannot be provided between multifamily dwellings and public or common use facilities due to excessive finish grade, a vehicular route may be provided instead of an accessible route if necessary site provisions such as accessible parking spaces and curb ramps are provided at each inaccessible building or facility.

### **1341.1640 DWELLING UNITS, SLEEPING ROOMS, AND ASSOCIATED BATHING FACILITIES.**

Dwelling units required to be accessible or adaptable by Table 16.2 in part 1341.1620 shall comply with this part.

A. Passage doors within covered individual dwelling units shall meet the requirements of part 1341.0442, subpart 5. The clear opening provided on a standard six-foot sliding patio door assembly is acceptable. Primary entry doors to individual dwelling units shall be accessible and shall meet the requirements of part 1341.0442.

EXCEPTION: All passage doors within accessible dwelling units shall comply with part 1341.0442.

B. An accessible route shall be provided to all rooms and spaces within the covered individual dwelling unit. Design features such as a loft or sunken living room are allowed if the feature does not interrupt the accessible route to another room or space.

EXCEPTION: Nonaccessible raised or lowered floor areas are not allowed within accessible dwelling units. This exception does not apply to lofts.

The change in level requirements of part 1341.0426, subpart 2, for accessible routes shall be applied along the entire accessible route within the dwelling unit including door openings.

EXCEPTION: Thresholds for exterior sliding doors shall not exceed three-fourths inch (19 mm) in height.

C. All light and similar types of switches, electrical outlets, thermostats, or other environmental controls of each type in each room or space shall meet the requirements for forward approach in part 1341.0420, subpart 5, or for side approach over an object in Figure 6(c) in part 1341.0420, subpart 6.

EXCEPTION: Outlets that are dedicated for a particular appliance, such as an outlet within a cabinet for a microwave oven.

D. A clear floor space at least 30 inches (760 mm) by 48 inches (1,220 mm) that allows a parallel approach must be provided at the range or cooktop and sink.

EXCEPTION: In U-shaped kitchens with a sink, range, or cooktop at the base of the "U", a 60-inch (1,525-mm) diameter turning circle must be provided to allow parallel approach, or base cabinets must be removable to allow knee space for a forward approach to the appliance.

Either a parallel or forward approach must be provided at the oven, dishwasher, refrigerator/freezer, trash compactor, or other appliance.

The clear floor space centerline shall align with the centerline of the appliance or fixture.

Clearance between counters and all opposing base cabinets, countertops, appliances, or walls must be at least 40 inches (1,015 mm).

In accessible dwelling units, the rim of the sink and a minimum of 30 inches (760 mm) of work space within the counter shall be mounted no more than 34 inches (865 mm) above the floor, or the counter at those locations shall be adjustable between 28 inches (710 mm) and 36 inches (915 mm) above the floor. Knee clearance complying with part 1341.0480, subpart 3, shall be provided at the work space, or the cabinet shall be removable to provide the required knee space. Knee clearance a minimum of 30 inches (760 mm) in width and complying with Figure 31 in part 1341.0454, subpart 2, shall be provided at the sink, or a removable base cabinet shall be provided that, when removed, will provide the required clearance. Faucet controls shall comply with part 1341.0470, subpart 4.

E. All toilet rooms and bathrooms located on an accessible route within individual dwelling units shall comply with this part.

At least one of each type of fixture in each toilet room or bathroom must meet the requirements of this part, for example, when two sink basins are provided in the same room, only one must be accessible. The bathtub and shower are considered bathing fixtures; therefore, when one of each is provided in a room, only one must be accessible.

Clear floor spaces required at fixtures may overlap.

A clear floor space 30 inches (760 mm) by 48 inches (1,220 mm) shall be provided within the room clear of the swing of the door. The clear space may include knee and toe clearances beneath fixtures.

(1) Bathroom walls shall be provided with supports to allow later installation of bars around the toilet, bathtub, shower stall, and shower seat, where such facilities are provided. Supports shall be positioned, to the extent practicable, according to Figures 80, 81, and 82. If the toilet is not placed adjacent to a side wall, the bathroom would comply if provision was made for installation of floor-mounted, foldaway, or similar alternative grab bars. Provision shall be made to locate a grab bar 18 inches (455 mm) from the centerline of the toilet to at least one side of the toilet.

Installation of bathtubs is not limited by the requirements of parts 1341.0401 to 1341.0488. A bathtub may have shelves or benches at either end or may be installed without surrounding walls, if there is provision for alternative mounting of grab bars. For example, a sunken bathtub placed away from walls could have reinforced areas for installation of floor-mounted grab bars. The same principle applies to shower stalls. For example, glass-walled stalls could be planned to allow floor-mounted grab bars to be installed later.

Reinforcement for grab bars may be provided in a variety of ways, for example, by plywood or wood blocking, if the necessary reinforcement is placed to permit later installation of appropriate grab bars.

EXCEPTION: Grab bars shall be installed in accessible dwelling units.

FIGURE 80  
WATER CLOSETS IN ADAPTABLE BATHROOMS

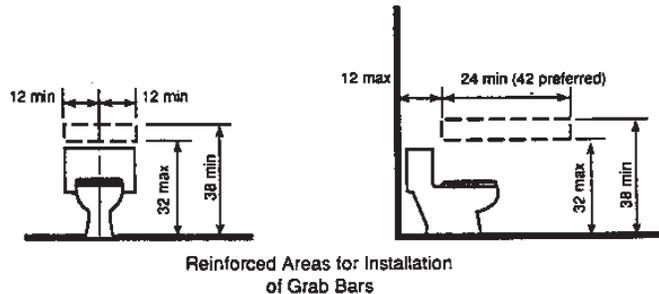


Fig. 80 Water Closets in Adaptable Bathrooms

FIGURE 81  
LOCATION OF GRAB BAR REINFORCEMENTS  
FOR ADAPTABLE BATHTUBS

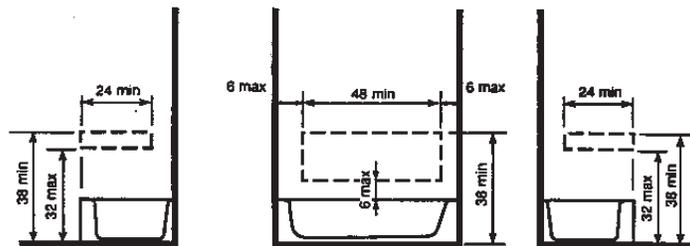


Fig. 81 Location of Grab Bar Reinforcements for Adaptable Bathtubs

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

**FIGURE 82**  
**LOCATION OF GRAB BAR REINFORCEMENTS**  
**FOR ADAPTABLE SHOWERS**

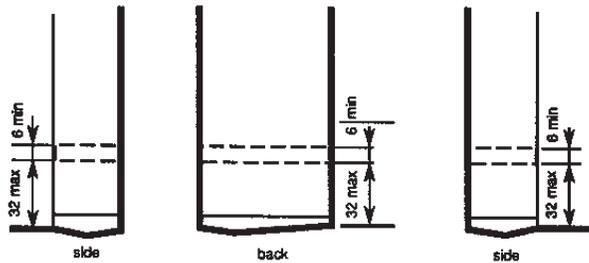


Fig. 82 Location of Grab Bar Reinforcements for Adaptable Showers

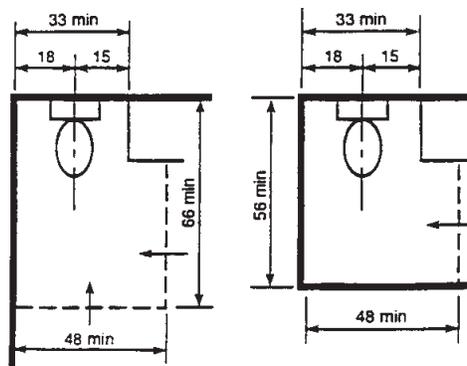
(2) Minimum clear floor space at water closets shall be provided according to units (a) to (c).

(a) If the approach to the water closet is from directly in front of the water closet, clear floor space shall be a minimum of 66 inches (1,675 mm) in length, measured from the wall behind the water closet and a minimum of 48 inches (1,220 mm) wide, measured a minimum of 18 inches (455 mm) to one side of the centerline of the water closet and a minimum of 30 inches (760 mm) to the opposite side of the water closet. There shall be a minimum of 18 inches (455 mm) of clear floor space, measured from the centerline of the water closet to one side of the water closet to allow installation of grab bars.

(b) If the approach to the water closet is from the side, clear floor space shall be a minimum of 56 inches (1,420 mm) in length, measured from the wall behind the water closet and a minimum of 48 inches (1,220 mm) wide, measured a minimum of 18 inches (455 mm) to one side of the centerline of the water closet and a minimum of 30 inches (760 mm) to the opposite side of the water closet. There shall be a minimum of 18 inches (455 mm) of clear floor space, measured from the centerline of the water closet to one side of the water closet to allow installation of grab bars.

(c) A lavatory, vanity, stub wall, or other element may encroach into the clear floor space for the water closet a maximum of 24 inches (610 mm), measured from the wall behind the water closet. The leading edge of the encroaching element shall be a minimum of 15 inches (358 mm) from the centerline of the water closet. This encroachment is only allowed to occur on one side of the water closet. See Figure 83.

**FIGURE 83**



**CLEARANCES AT WATER CLOSETS**

Fig. 83 Clearances at Water Closets

(3) A clear floor space, 30 inches (760 mm) by 48 inches (1,220 mm), shall be provided for either a parallel or forward approach to the sink. The clear floor space shall be centered on the basin. If only a forward approach is provided, knee clearance complying with part 1341.0454, subpart 2, shall be provided, or a removable base cabinet shall be provided that, when removed, will provide the necessary knee clearance. The height of the fixture rim shall be no more than 34 inches (865 mm) above the finished floor.

EXCEPTION: A forward approach shall be provided in accessible dwelling units. A removable base cabinet may be installed.

(4) A clear floor space a minimum of 30 inches (760 mm) wide shall be provided adjacent to the bathtub for the entire length of the bathtub.

A sink or vanity may be located next to the bathtub at the control end (foot end) of the bathtub. If the direction of travel to the bathtub is parallel with the bathtub, knee clearance or a removable vanity shall be provided at the sink.

A water closet complying with subitem (2) may be located next to the bathtub at the control end (foot end) of the bathtub only if a perpendicular approach to the bathtub is provided. The centerline of the water closet shall be at least 15 inches (358 mm) from the outside edge of the bathtub.

(5) A shower stall shall be a minimum of 36 inches (915 mm) by 36 inches (915 mm) if it is the only bathing fixture provided.

EXCEPTION: Apartment developments requiring three or more accessible dwelling units shall provide at least one accessible dwelling unit with an accessible roll-in shower measuring at least 30 inches (760 mm) by 60 inches (1,525 mm). The threshold for the roll-in shower shall not exceed two inches (50 mm) and shall be beveled at 1:2.

A clear floor space a minimum of 30 inches (760 mm) wide by 48 inches (1,220 mm) long shall be provided adjacent to the shower. The 48-inch (1,220 mm) dimension of the clear space shall begin flush with the end wall, generally the control wall of the shower, and extend parallel to the shower away from the end wall. If the shower stall is the only bathing facility provided in the dwelling unit, or on the accessible level of a multistory unit, and measures 36 inches (760 mm) by 36 inches (760 mm) or smaller, the shower stall must have reinforcing to allow for installation of an optional wall hung bench seat.

**REVISOR INSTRUCTION.** The revisor of statutes shall change the reference from *Minnesota Rules*, chapter 1340, to *Minnesota Rules*, chapter 1341, in parts 1300.2400, subpart 6; 1305.1101; 1307.0045; 1307.0065; 1370.0160, subpart 2; 4625.3901, subpart 6; and 6120.3300, subpart 3.

**REPEALER.** *Minnesota Rules*, parts 1340.0100; 1340.1102; 1340.1103; 1340.1104; 1340.1105; 1340.1106; 1340.1107; 1340.1110; 1340.1120; 1340.1130; 1340.1140; 1340.1150; 1340.1155; 1340.1160; 1340.1170; 1340.1180; 1340.1190; 1340.1205; 1340.1210; 1340.1220; 1340.1230; 1340.1240; 1340.1250; 1340.1260; 1340.1270; and 1340.1280, are repealed.

## Department of Administration

### Proposed Permanent Rules Relating to Elevators

**DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing If 25 or More Requests for Hearing Are Received**

**Proposed Amendment to Rules Governing the Elevators and Related Devices Code, *Minnesota Rules*, Chapter 1307.**

**Introduction.** The Department of Administration intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by 4:30 p.m. on December 2, 1998, a public hearing will be held in Suite 408, Metro Square Building, 121 East 7th Place, St Paul, MN 55101, starting at 9 a.m. on Tuesday, December 15, 1998. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after December 2, 1998 and before December 15, 1998.

**Agency Contact Person.** Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Janet Streff at Building Codes and Standards Division of the Department of Administration, 121 East 7th Place, Suite 408, St. Paul, MN 55101, (651) 296-4329, or FAX (651) 297-1973.

**Subject of Rules and Statutory Authority.** The proposed rules adopt the 1996 edition of the American Society of Mechanical Engineers (ASME) Safety Code for Elevators. The 1996 edition incorporates revisions to the 1987 edition that are needed to address changes in technology, materials, and methods of construction. The 1996 edition includes A17.3-1996, for existing elevators and escalators. Various elements of the proposed rules are to be repealed, revised, or contain an entirely new section. Many amendments in chapter 1307 are relocated within the chapter to more logically organize the subject matter and make the chapter easier to use.

Individual amendments to the rule include amendments to definitions, clarifications to current inconsistencies in permits and fees,

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

and changes to requirements for inspections, tests and approvals. The rules modify the requirements for reporting accidents. More specific provisions regarding draft curtains in elevator lobbies are included in the amendments. Provisions regarding standby power to elevators are revised, delegating that provision in part to the Accessibility code. Requirements for standby power are already in the Accessibility code so it is not necessary to duplicate the provisions. Minimum car sizes, emergency signs, illumination, chairlifts, specific uses, attendant-operated lifts, rooftop elevators, outdoor moving walks, winding drum machines, horizontal swing doors, side emergency exits, operating devices, and additional doors are all provisions which are further stipulated in the rule change.

Specific amendments to ASME A17.1-1996 are made to make it code-specific to Minnesota. Updated standards for manlifts and conveyors are incorporated into the amendments to the Minnesota Elevators Code. Hoistway venting provisions are made more explicit. Ventilation temperatures for hoistways and machine rooms are specified. A provision for an elevator pit drain is included. Hoistway door unlocking devices are clarified. An exception for the addition of an automatic shunt trip device is given for existing hydraulic elevators when sprinklers are installed and Phase I and Phase II Firefighter's Service is provided. The car emergency signaling device section is amended to more clearly delineate how two-way communication shall be accomplished. The section on keys more clearly defines the number and location of keys, where the keybox is located and who has access. Hand powered elevators and dumbwaiters sections are amended to require a broken rope device. Inspector qualifications are amended, and revisions are made to the section on leveling devices. Amendments are also made to sections on machine rooms and car safety. Amendments are made to Part XX of ASME A17.1-1996 concerning wheelchair lifts. Revisions to runway enclosures, attendant-operated lifts, platform size, operating buttons, and inclined stairway chair lifts are made.

Several amendments are made to existing installations. The section on administering inspections is amended and conditions for continued operation is revised. Damaged installations and unsafe conditions remove and relocate requirements to make them more easily understood. The section on compliance schedules is revised to address issues of non-compliance and the timing of repairs.

The statutory authority to adopt the rules is *Minnesota Statutes*, section 16B.59 to 16B.75. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

**Comments.** You have until 4:30 p.m. on Wednesday, December 2, 1998 to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period. A free copy of the entire rule is available upon request from the agency contact person.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on December 2, 1998. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

**Withdrawal of Requests.** If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**Alternative Format/Accommodation.** Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

**Modifications.** The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing.** The hearing scheduled for December 15, 1998 will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (612) 296-4639 after December 2, 1998 to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge George A. Beck is

assigned to conduct the hearing. Judge Beck can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone (612) 341-7601, and FAX (612) 349-2665.

**Hearing Procedure.** If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day response period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment or response period also submit a copy of the written views or data to the agency contact person at the address stated above.

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from either the agency or the Office of Administrative Hearings.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (612) 296-5148 or 1-800-657-3889.

**Adoption Procedure if No Hearing.** If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

**Adoption Procedure After a Hearing.** If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and files them with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

**Order.** I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: 20 October 1998

Elaine S. Hansen, Commissioner  
Department of Administration

### **1307.0005 TITLE.**

This chapter is known and may be cited as the "Minnesota Elevator Code." As used in this chapter, "the code" and "this code" refer to this chapter.

### **1307.0010 PURPOSE AND SCOPE.**

~~See 5101.~~ The provisions of parts 1307.0010 to 1307.0090 are to safeguard life, limb, property, and public welfare by establishing minimum requirements relating to the design, construction, installation, alteration ~~and~~, repair, removal, and operation and maintenance of passenger elevators, freight elevators, handpowered elevators, dumbwaiters, escalators, moving walks, ~~temporary hoists~~

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

vertical reciprocating conveyors, stage and orchestra lifts, endless belt lifts, wheelchair platform lifts, and other related devices. The requirements for the enforcement of these provisions are established by this chapter.

### 1307.0020 ANSI ASME CODE ADOPTED BY REFERENCE.

~~See: 5403.~~ Subpart 1. **Incorporation by reference.** The ~~American National Standard~~ following are incorporated by reference, are not subject to frequent change, and are made part of the Minnesota State Building Code as amended in this chapter: ASME A17.1-1996 Safety Code for Elevators and Escalators; adopted by the American National Standards Institute and the American Society of Mechanical Engineers (ANSI/ASME) A17.1-1987, together with supplement A 17.1a-1988 and ANSI A17.3-1986, as published by the American Society of Mechanical Engineers, United Engineering Center, 345 East 47th Street, New York, New York 10017, is incorporated by reference and made a part of this code except as qualified or amended in this chapter. These standards are not subject to frequent change and ASME A17.3-1996 Safety Code for Existing Elevators and Escalators; ASME A17.5-1996 Elevator and Escalator Electrical Equipment; ASME A90.1-1997 Safety Standard for Belt Manlifts; ASME B20.1-1996 Safety Standard for Conveyors and Related Equipment as published by the American Society of Mechanical Engineers, United Engineering Center, 345 East 47th Street, New York, New York 10017. These are available in the office of the commissioner of administration.

Subp. 2. [See repealer.]

### 1307.0025 DEFINITIONS.

~~See: 5404.~~ Subpart 1. **Scope.** The definitions in this part apply to parts 1307.0010 to 1307.0070.

Subp. 2. **ASME A17.1-1996.** “ASME A17.1-1996” means the ASME A17.1-1996 Safety Code for Elevators and Escalators (and related equipment).

Subp. 3. **ASME A17.3-1996.** “ASME A17.3-1996” means the ASME A17.3-1996 Safety Code for Existing Elevators and Escalators (and related equipment).

(a) Subp. 4. **ASME Code.** “ANSI ASME Code” means the ANSI/ASME A17.1 Code 1987, with supplement A17.1a-1988 and ANSI A17.3-1986, Safety Code for Elevators and Escalators, an American National Standard published by the American Society of Mechanical Engineers ASME Codes incorporated by reference in part 1307.0020, subpart 1.

(b) Subp. 5. **Authority having jurisdiction.** “Authority having jurisdiction” means the building code enforcement agency of local government for areas where the code is enforced by a local government or the Department of Labor and Industry in areas outside the enforcement sphere of Administration pursuant to Minnesota Statutes, section 16B.61, or a unit of local government pursuant to Minnesota Statutes, sections 16B.61 and 16B.747.

(c) Subp. 6. **Existing installation.** “Existing installation” means one for which, before the effective date of this code:

(+) A. all work of installation was completed; or

(=) B. the plans and specifications were filed with the ~~enforcing~~ authority having jurisdiction, all required permits were obtained, all permit and inspection fees were paid, and work was begun not later than 12 months after approval of the plans and specifications and issuance of the required permits.

Subp. 7. **Endless belt lift.** “Endless belt lift” means belt manlifts and is governed by ASME A90.1-1997 Safety Standard for Belt Manlifts.

Subp. 8. **Uniform Building Code or UBC.** “Uniform Building Code” or “UBC” means the Uniform Building Code, as promulgated by the International Conference of Building Officials, Whittier, California, and as adopted by reference in part 1305.0010.

### 1307.0030 PERMITS.

~~See: 5405.~~ (a) Subpart 1. **Permits required.** It is unlawful for any person, firm, or corporation to hereafter install any new passenger elevators, freight elevators, handpowered elevators, moving walks, escalators, dumbwaiters, wheelchair ~~platform~~ lifts, endless belt lifts, vertical reciprocating conveyors, stage and orchestra lifts, or any other related device, or make alterations or repairs to or remove any existing passenger elevators, moving walks, escalators, dumbwaiters, wheelchair platform lifts, endless belt lifts, or any other related device of the same without having first obtained a permit for the work from the authority having jurisdiction. Alterations, modifications, and practical difficulties will be done in keeping with the rules of the Department of ~~Labor and Industry Administration.~~

Exception: A Certificate of Operation will not be required for a conveyance installed within a dwelling unit for the singular use of the occupant of the dwelling unit.

(b) Subp. 2. **Application for permit.** Application for a permit to install ~~or~~, alter, repair, or remove must be made on forms provided by the authority having jurisdiction.

(c) Subp. 3. **Plans and specifications.** Plans and specifications describing the extent of the work involved must be submitted with the application for a permit. The authority having jurisdiction may require that such plans and specifications be prepared by an

architect or engineer licensed to practice in Minnesota. A permit will be issued to the applicant when the plans and specifications have been approved and the appropriate permit fee specified in this code has been paid by the applicant.

~~(d)~~ **Subp. 4. Certificate of operation required.** It is unlawful to operate an elevator, dumbwaiter, escalator, moving walk, or related device without a current Certificate of Operation issued by the authority having jurisdiction. The certificate will be issued upon payment of prescribed fees and the presentation of a valid inspection report indicating that the conveyance is safe and that the inspections and tests have been performed ~~in accordance with Part X of the ANSI~~ according to this code. A certificate will not be issued when the conveyance is posted as unsafe.

~~(e)~~ **Subp. 5. Application for certificate of operation.** Application for a certificate of operation must be made by the owner, or an authorized representative, for ~~an~~ any elevator, lift, dumbwaiter, escalator, moving walk, reciprocating conveyor, or other related device. The application must be accompanied by an inspection report. Fees for the Certificate of Operation must be as specified by the administrative authority.

~~(f) Fees. Fees for the installation, alteration, or repair of devices covered in this section are as set forth in the fee schedule adopted by the jurisdiction or in the cases under permit issuance by the Department of Labor and Industry will be as established by the Department of Labor and Industry. A recommended fee schedule structure is located in UBC Appendix Chapter 51.~~

### **1307.0032 FEES.**

Subpart 1. Jurisdiction. Fees for the installation, alteration, repair, or removal of devices covered in this part are as set forth in the fee schedule adopted by the jurisdiction or, in cases under permit issuance by the Department of Administration, as established in this part.

Subp. 2. Establishment. The department's fees for a permit to install, alter, or remove an elevator are:

A. A permit fee to install, alter, or remove an elevator is \$100, and \$500 if work that requires a permit is begun without a permit.

B. Inspection fees for installation and alteration of permitted elevator work are 1-1/2 percent of the total cost of the permitted work for labor and materials including related electrical and mechanical equipment. The total inspection fee shall not exceed \$1,000 per permit. The inspection fee covers two inspections. Additional inspections shall cost \$45 per hour, in accordance with part 1302.0600. The cost of special decorative fixtures in the permitted work may be deducted from the cost of the permitted elevator work up to a maximum of five percent of the total cost of the permitted work upon approval of the commissioner.

C. An elevator that passes department inspection will be issued an operating permit by the department.

Subp. 3. Inspection fees. The fees for routine or periodic inspection of existing elevators are:

A. two stop elevators, \$50;

B. three stop elevators, \$75;

C. four stop elevators, \$100;

D. five stop elevators, \$125;

E. six or more stop elevators, \$150; and

F. escalators and moving walks, \$100.

### **1307.0035 INSPECTION, TESTS, AND APPROVALS.**

~~See 5106.~~ ~~(a)~~ **Subpart 1. Approval of plans.** Any person, firm, or corporation desiring to install, relocate, alter ~~materially~~, or ~~extend~~ remove any installation covered by this chapter must ~~be required to~~ obtain approval for doing so from the authority having jurisdiction. Two sets of drawings ~~and~~ and/or specifications showing the installation, relocation, alteration, or ~~extension~~ removal must be submitted ~~for approval as required by the authority having jurisdiction.~~

~~(b)~~ **Subp. 2. Inspections and tests.** ~~It is unlawful for any~~ No person, firm, or corporation ~~to~~ may put into service any installation covered by parts 1307.0010 to ~~1307.0090~~ 1307.0070 whether the installation is newly installed, relocated, or altered materially, without the installation being inspected and approved by the authority having jurisdiction. The installer of any equipment included in this chapter must ~~notify in writing request inspections by notifying~~ the authority having jurisdiction ~~seven days before completion of the installation to schedule a date and time for inspection.~~ The authority having jurisdiction ~~may~~ shall require tests as

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

described in ANSI A17.1-1987 Edition and supplement ANSI A17.1a-1988 and ANSI A17.3-1986 the ASME Code to prove the safe operation of the installation.

(c) **Subp. 3. Approval.** A certificate or letter of approval must be issued by the authority having jurisdiction for the installation when the entire installation is completed in conformity with this code. ~~The installation~~ An inspection must include all enclosures or shafts, gates, doors, machinery safety and control devices, and all other appurtenances necessary.

(d) **Subp. 4. Limited use of an elevator approval.** When a building or structure is ~~to be~~ equipped with one or more elevators, at least one of the elevators may be approved for limited use before completion of the building or structure. ~~The use of the elevator may be permitted by the authority having jurisdiction under the authority of a limited permit issued for each class of service.~~ The limited permit use approval must specify the class of service permitted and ~~it must not be issued until the elevator has been tested with a rated load and the car safety and terminal stopping equipment have been tested to determine the safety of the equipment.~~ Permanent enclosures must be in place on the car and around the hoistway and at the landing entrance on each floor the conditions of approval.

### 1307.0040 ACCIDENTS.

~~See 5107.~~ (a) **Subpart 1. To be reported.** The owner or person in control of an elevator or other installation covered by this code ~~must promptly~~ shall notify the authority having jurisdiction of any accident involving personal injury or damage to equipment covered in this chapter to a person or apparatus on, about, or in connection with an elevator or other installation, and ~~must afford~~ shall allow the authority having jurisdiction every facility reasonable access to the equipment and the opportunity to take statements from employees and agents of the owner or person in control for investigating the accident and the resultant damage. Notification may be given to the authority having jurisdiction by telephone or verbally. The notification must also be confirmed in writing. Notification must be made within one working day of the accident. Failure to provide the proper notification may be considered a violation as described in Minnesota Statutes, section 16B.745.

(b) **Subp. 2. Investigation.** The authority having jurisdiction must make or cause to be made an investigation of the accident, and the report of the investigation must be placed on file in its office. The report must give in detail the cause or causes, so far as can be determined, and the report must be available for public inspection subject to the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13.

(c) **Subp. 3. Operation discontinued.** When an accident involves the failure or destruction of a part of the installation or the operating mechanism, the elevator or other installation must be taken out of service and ~~must may~~ not be used again until it has been made safe and the reuse approved by the authority having jurisdiction. The authority having jurisdiction may, when necessary, order the discontinuance of operation of any such elevator or installation until a new certificate of operation has been issued.

(d) **Subp. 4. Removal of parts restricted.** No part of the damaged installation, construction, or operating mechanism ~~must may~~ be removed from the premises until permission is granted by the authority having jurisdiction.

### 1307.0045 DESIGN; SPECIAL PROVISIONS.

~~See 5108.~~ **Subpart 1. Scope.** ~~For detailed~~ The special provisions in this part apply to the design, construction, and installation requirements; see UBC Chapter 23 and the appropriate requirements of the ANSI Code as well as the special provisions cited in this code of new elevators and related equipment.

(a) **Subp. 2. Number of cars in hoistway.** When there are three or fewer elevator cars in a building, they may be located within the same hoistway enclosure. When there are four elevator cars, they must be divided in such a manner that at least two separate hoistway enclosures are provided. When there are more than four elevators, not more than four elevator cars may be located within a single hoistway enclosure.

(b) **Subp. 3. Elevator lobby enclosures.** ~~Elevator lobby enclosures, when required, must comply with UBC Section 1807(h). When lobbies must be installed and constructed as required by the UBC. When firefighters' service is installed and an elevator lobby enclosure is not required provided, an area of the ceiling area of the corridor outside the elevator shaft opening(s) hoistway opening must be provided with a draft curtain. The area of the ceiling enclosed by the draft curtain must be large enough so that it surrounds the elevator's smoke detector, encloses the width of the hoistway entrance, and has a minimum area equal to the floor area of the car. The draft curtain must consist of glass set in metal frames or construction complying with the construction type of the building to provide an area for the control of the products of combustion. Where a seven-foot minimum ceiling height can be maintained below the draft curtain, the draft curtain shall extend down a minimum of 12 inches from the ceiling.~~

(c) **Door Operation.** ~~Each elevator lobby or entrance must be provided with an approved smoke detector. The operation of such detectors may be set at the maximum sensitivity.~~

(d) **Subp. 4. Standby power.** Standby power when required by chapter 1341, Minnesota Accessibility Code, or UBC section 1807 must 403 shall be capable of providing power to ~~all elevators necessary~~ at least one elevator in each bank to serve all floors of the building. Standby power ~~must shall~~ be manually transferable to all elevators in each bank.

Standby power ~~must~~ when required by chapter 1341, Minnesota Accessibility Code, or UBC section 403 shall be provided by an approved self-contained generator set to operate automatically whenever there is a loss of electrical power to the building. The generator set ~~must shall~~ be located in a separate room enclosed by at least a one-hour fire-resistive occupancy separation. The generator ~~must shall~~ have a fuel supply adequate to operate the equipment connected to it for a minimum of two hours.

Note: A bank of elevators is a group of elevators or a single elevator controlled by a common operating system; that is, all those elevators which respond to a single call button constitute a bank of elevators. There is no limit to the number of cars which may be in a bank or group, but there may be not more than four cars within a common hoistway.

~~(e) Size of Cab and Control Location. When required by chapter 1340, all floors of buildings served by an elevator or elevators must be of a size that will accommodate a wheelchair, as follows:~~

~~1. Operation and leveling. Elevator operation must be automatic. Each car must be equipped with a self-leveling feature that will automatically bring to the floor landings within a tolerance of one-half inch under normal loading and unloading conditions. The self-leveling feature must be entirely automatic and independent of the operating device and must correct the overtravel or undertravel. The car must also be maintained approximately level with the landing, irrespective of load.~~

~~2. Door operation. Power-operated horizontally sliding car and hoistway doors opened and closed by automatic means must be provided.~~

~~3. Door size. Minimum clear width for elevator doors must be 36 inches.~~

~~Exception: When approved by the authority having jurisdiction, the minimum door width may be reduced to 32 inches for cars with dimensions as permitted by the exception to Section 5108(e) 6.~~

~~4. Door protective and reopening device. The reopening device must be capable of sensing an object or person in the path of a closing door without requiring contact for activation at a nominal five inches and 29 inches above the floor. Door reopening devices must remain effective for a period of not less than 20 seconds.~~

~~5. Door delay (passenger service time):~~

~~A. Hall call. The minimum acceptable time from notification that a car is answering a call (lantern and audible signal) until the doors of that car start to close must be as indicated in the following table:~~

<del>DISTANCE</del> <del>(in feet)</del>	<del>TIME</del>
<del>0 to 5</del>	<del>4 seconds</del>
<del>10</del>	<del>7 seconds</del>
<del>15</del>	<del>10 seconds</del>
<del>20</del>	<del>13 seconds</del>

~~The distance must be established from a point in the center of the corridor or lobby (maximum five feet) directly opposite the farthest hall button to the center line of the hoistway entrance.~~

~~B. Car call. The minimum acceptable time for doors to remain fully open must be not less than three seconds.~~

~~6. Car inside. The car inside must allow the turning of a wheelchair. The minimum clear distance between walls or between wall and door, excluding return panels, must be not less than 68 inches by 54 inches. Minimum distance from wall to return panel must be not less than 54 inches.~~

~~Exception: When approved by the authority having jurisdiction, existing elevators provided in schools, institutions, or other buildings may have a minimum clear distance between walls or between wall and door, excluding return panels, of not less than 54 inches by 54 inches. Minimum distance from wall to return panel must be not less than 54 inches.~~

~~7. Car controls. Controls must be readily accessible from a wheelchair upon entering an elevator. The center line of the alarm button must be at a nominal 35 inches, and the highest floor button no higher than 54 inches from the floor. Floor registration buttons, exclusive of border, must be a minimum three-fourths inch in size, raised, flush, or recessed. Visual indication must be provided to show each call registered and extinguished when call is answered. Depth of flush or recessed buttons when operated~~

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

must not exceed three eighths inch. Markings must be adjacent to the controls on a contrasting color background to the left of the controls. Letters or numbers must be a minimum of five eighths inch high and raised or recessed 0.030 inch. Applied plates permanently attached are acceptable. Emergency controls must be grouped together at the bottom of the control panel. Controls not essential to the automatic operation of the elevator may be located as convenient.

8. Car position indicator and signal. A car position indicator must be provided above the car operating panel or over the opening of each car to show the position of the car in the hoistway by illumination of the indication corresponding to the landing at which the car is stopped or passing. Indications must be on a contrasting color background and a minimum of one-half inch in height. In addition, an audible signal must sound to tell a passenger that the car is stopping or passing a floor served by the elevator. A special button located with emergency controls may be provided. Operation of the button will activate an audible signal only for the desired trip.

9. Telephone or intercommunicating system. A means of two-way communication must be provided between the elevator and a point outside the hoistway connected to an approved emergency service which operates on a 24-hour daily basis. If a telephone or other communicating device is provided, it must be located a maximum of 54 inches from the floor to the dial or key pad on the phone or other operating device, with a minimum receiver cord length of 29 inches. Markings or the international symbol for telephones must be adjacent to the control on a contrasting color background. Letters or numbers must be a minimum of five eighths inch high and raised or recessed 0.030 inch. Applied plates permanently attached are acceptable.

10. Floor covering. Floor covering must have a nonslip hard surface which permits easy movement of wheelchairs. If carpeting is used, it must be securely attached, heavy duty, with a tight weave and low pile, installed without padding.

11. Handrails. A handrail must be provided on at least one wall of the car, preferably the rear. The handrails must be smooth, a maximum diameter of 1-1/2 inches and the inside edge of the handrail surface located at least 1-1/2 inches clear of the walls mounted at a height of 32 inches from the floor.

Note: 32 inches is required to reduce interference with car controls where lowest button is centered at 35 inches above the floor.

12. Minimum illumination. The minimum illumination at the car controls and the landing when the car and landing doors are open must be not less than five footcandles.

13. Hall buttons. The center line of the hall call buttons must be a nominal 42 inches above the floor. Direction buttons, exclusive of border, shall be a minimum of three fourths inch in size, raised, flush, or recessed. Visual indication must be provided to show each call registered and extinguished when the call is answered. Depth of flush or recessed button when operated must not exceed three eighths inch.

14. Hall lantern. A visual and audible signal must be provided at each hoistway entrance indicating to the prospective passenger the car answering the call and its direction of travel. The visual signal for each direction must be a minimum of 2-1/2 inches in size and visible from the proximity of the hall call button. The audible signal must sound once for the up direction and twice for the down direction. The center line of the fixture must be located a minimum of six feet from the floor. The use of in-car lanterns conforming to above and located in the jamb are acceptable.

15. Door jamb marking. The floor designation must be provided at each hoistway entrance on both sides of the jamb visible from within the car and the elevator lobby centered at a height of 60 inches above the floor. Designations must be on a contrasting background two inches high and raised 0.030 inch. Applied plates permanently attached are acceptable.

(f) Subp. 5. **Stretcher requirements Minimum car size.** In buildings with passenger elevators requiring Phase I and II operation having 25 feet or more of travel above or below the designated level, at least one passenger elevator must be provided with a minimum clear distance between walls or between walls and door excluding return panels, not less than 80 inches 54 inches, and a minimum distance from wall to return panel not less than 51 inches with a 42-inch side slide door, unless otherwise designed to accommodate an ambulance-type stretcher 76 inches by 24 inches in the horizontal position. In buildings where one passenger elevator does not serve all floors, two or more passenger elevators may be used. All other passenger elevators must be provided with a minimum clear distance between walls or between wall and door, excluding return panels, of 68 inches by 54 inches. The minimum distance from wall to return panel is 51 inches.

Exception. When approved by the authority having jurisdiction, passenger elevators to be installed in existing buildings where existing hoistway configuration or technical infeasibility prohibits strict compliance with the minimum required car size, the minimum inside car area may be reduced to not less than 48 inches by 48 inches.

(g) Subp. 6. **Emergency signs.** Except at the main entrance level, an approved pictorial sign of a ~~standard~~ an approved design such as referenced in Appendix H of ASME A17.1-1996 must be five inches (127 mm) wide and eight inches (203 mm) high and must be posted adjacent to each elevator call station which will indicate that, in case of fire, the elevator will not operate and that exits should be used.

~~(4)~~ Subp. 7. ~~Restricted or limited-use elevators~~ **Specificuse**. The authority having jurisdiction may waive the requirements of this ~~section part~~ for any elevator designed for ~~limited or restricted~~ a specific use serving only ~~specific~~ certain floors or a specific particular function.

Subp. 8. **Illumination**. A guarded light and convenience outlet must be provided on the top and underside of each elevator car.

Subp. 9. **Chairlifts**. Inclined stairway chairlifts may only be installed in single-family dwelling units. The installation shall be in accordance with ASME A17.1-1996, Rule 2102.

Subp. 10. **Attendant-operated lifts**. Attendant-operated lifts may not be installed in other than owner-occupied single-family dwellings.

Subp. 11. **Rooftop elevators**. Rooftop elevators may not be installed.

Subp. 12. **Outdoor moving walks**. Outdoor moving walks may not be installed.

Subp. 13. **Winding drum machines**. Except as permitted in the ASME code for chairlifts and wheelchair platform lifts, winding drum machines are not permitted on new elevator installations or as replacements on existing installations.

Subp. 14. **Horizontal swing doors**. Horizontal swing doors of single-section or center-opening two-section design are not permitted on new elevator installations or as replacements on existing installations, except the authority having jurisdiction may approve their installation or replacement if the conditions make it impossible to install approved types of doors.

Subp. 15. **Side emergency exits**. Side emergency exits on elevator cars are not permitted.

Subp. 16. **Operating devices**. Operating devices must be of the enclosed electric type. Rope- or rod-operated devices activated by hand, or rope-operating devices activated by wheels, levers, or cranks, must be removed. It is not considered an alteration if a constant pressure push button system replaces a device required to be removed by this subpart.

Subp. 17. **Additional doors**. Doors other than the hoistway door and the elevator car door shall be prohibited at the point of access to an elevator car.

### **1307.0065 AMENDMENTS TO ANSI ~~A17.1-1987~~ ASME A17.1-1996.**

Subpart 1. **Rule 1.2(c)**. Rule 1.2(c) is deleted.

Subp. 2. **Rule 1.2(f)**. Rule 1.2(f) is deleted.

Subp. 3. **Rule 100.4**. Rule 100.4 is amended by deleting the first paragraph and replacing it with the following:

Hoistway venting. Shafts (hoistways) housing elevators having a travel distance of 25 feet or more shall be vented to the outside. The area of the vent shall be not less than 3-1/2 percent of the area of the elevator shaft, provided a minimum of three square feet per elevator is provided.

The venting of each individual hoistway must be independent from any other hoistway venting, and the interconnection of separate hoistways for the purpose of venting is prohibited. Keyed manual remote devices must operate vents. Keyed manual remote devices must be provided with visual indicators for open or closed status and must be located adjacent to the fire control panel, if provided, or the elevator lobby on a designated floor. Vents must not be of automatic operation such as by fusible links or smoke or fire detection. Vents must be located in the side of the hoistway enclosure directly below the floor or floors at the top of the hoistway, and must open either directly to the outer air or through noncombustible ducts to the outer air; or in the wall or roof of the penthouse or overhead machinery space above the roof when the openings have a total area not less than the minimum specified in this part. Vents passing through machine rooms must be in noncombustible ducts and must provide and maintain access around electrical and mechanical equipment. When a vent is installed in the roof of the hoistway, a protective grille must be provided to prevent persons from falling into the hoistway.

Subp. 4. **Rule 101.5b**. Rule 101.5b is amended to read as follows:

When relay logic or solid state equipment is used to operate the elevators, the elevator equipment room and hoistways must be provided with independent natural or mechanical equipment to maintain an ambient temperature of 50 degrees to 90 degrees Fahrenheit or as otherwise permitted by the manufacturer of the listed equipment.

When standby power is connected to elevators, the machine room and hoistway ventilation or air conditioning must be connected to standby power.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

ANSI A17.1 Subp. 5. **Rule 102.2(c)(3).** Rule 102.2(c)(3) is amended by adding an exception to read as follows:

(e) (6) ~~When approved by the fire chief, automatic disconnect of the main power supply is not required if sprinklers are located in the machine or equipment room only; the elevator is equipped with Phase I emergency recall (see Section 211); and the sprinkler heads are of the eyeletting sprinkler (on-off) type.~~

NOTE 1: ~~This does not limit the use of shields and baffles.~~

NOTE 2: ~~This alternative does not apply if the hoistway is provided with sprinkler protection.~~

ANSI A17.1 Rule 112.5 is amended to read as follows:

~~Where required by Rule 112.3d or Rule 112.4, a power-operated car door or gate must be provided with a reopening device which will function to stop and reopen a car door or gate and the adjacent hoistway door in the event that the car door or gate is obstructed while closing. If the closing kinetic energy is reduced to 2-1/2 foot-pounds or less, the reopening device may be rendered inoperative (see Rule 112.4 a).~~

~~For center-opening doors, the reopening device must be so designed and installed that the obstruction of either door panel when closing will cause the reopening device to function.~~

~~Doors on all passenger elevators must not be solely dependent upon the door edge reopening device for protection from the doors closing on an obstruction, but must also be provided with an approved light beam or electronic door protection device. Doors closed by automatic means must be provided with a door reopening device which will function to stop and reopen the car door and adjacent hoistway door in case the car is obstructed while closing. For vertically sliding doors or gates, reopening devices must respond to any obstruction within the width of the opening to a point five inches maximum from each side of the opening.~~

~~Exception: If sprinklers are installed in an existing elevator machine room or hoistway, automatic disconnect of the main power supply is not required if the existing elevator is hydraulic, installed prior to the adoption of ASME A17.1-1996, and equipped with Phase I and Phase II firefighter's service in compliance with Rules 211.3 through 211.9.~~

Subp. 6. **Rule 106.1b(3).** Rule 106.1b(3) is amended by adding a paragraph to read as follows:

~~An elevator pit drain must discharge to the sanitary sewer using an indirect connection that precludes the possibility of sewage backup into the pit. If a sump is used, it must be located outside the pit with a dry pan drain flowing to it.~~

~~The sump for the elevator pit drain must not be located in the elevator machine room.~~

Subp. 7. **Rule 111.9(d).** Rule 111.9(d) is deleted.

Subp. 8. **Rule 111.9(e)(1).** Rule 111.9(e)(1) is amended as follows: (1) ~~The device shall unlock and permit the opening of the hoistway door from the bottom landing irrespective of the position of the car.~~

Subp. 9. **Rule 111.9(e)(2).** Rule 111.9(e)(2) is amended as follows: (2) ~~The device shall be installed at only the bottom landing.~~

Subp. 10. **Rule 211.1(a)(2).** Rule 211.1(a)(2) is amended to read as follows: (2) ~~A means of two-way communication between the car and a point outside the hoistway. The two-way communication shall be capable of initiation from both inside the car and a point outside the hoistway. The point outside the hoistway shall connect to an approved emergency service that operates on a 24-hour daily basis and responds directly to the car without delay. Accessibility requirements for the communication device shall comply with chapter 1341. The communication shall be located a maximum of 48 inches above the car floor and shall provide both a visible signal and voice communication. The visible signal shall illuminate inside the car upon response from emergency personnel. Signage shall be provided within the car explaining to the occupants that when the visible indicating device is illuminated, emergency personnel have received the distress signal and assistance is on the way. Emergency personnel must be able to identify and locate the car in distress without voice communication from inside the car. In addition, a permanent plaque or label must be affixed adjacent to the communication device identifying the car number and building address.~~

Subp. 11. **Rule 211.1(b).** Rule 211.1(b) is deleted.

ANSI A17.1 Subp. 12. **Rule ~~211.3d~~ 211.8.** Rule ~~211.3d~~ 211.8 is amended to read as follows:

~~On emergency elevators all keyed switches installed to operate the elevator or emergency service must be keyed alike to a pattern approved by the authority having jurisdiction. In lieu of the above, keys for emergency elevator service may be in a metal box placed in a location approved by the fire chief. The or the keys must be stored in a secure box and must be locked with a key approved by the fire chief authority having jurisdiction.~~

~~The box must be on the premises readily accessible to authorized personnel and must be located at the elevator lobby on the designated floor as approved by the authority having jurisdiction and labeled "ELEVATOR EMERGENCY USE ONLY."~~

~~Keys required to be in the security box include the emergency operation key, the machine room key, the hoistway unlocking device, and other keys required for elevator access and operation as required by the authority having jurisdiction.~~

~~ANSI A17.1 Subp. 13.~~ **Rule 602.1.** Rule 602.1 is amended by adding a fourth paragraph to read as follows:

All hand powered elevators must be equipped with a broken rope safety device.

~~ANSI A17.1 Rule 703.1 is amended by adding a second paragraph to read as follows:~~

~~All dumbwaiters must be equipped with a broken rope safety device.~~

~~ANSI A17.1a-1988 Rule 902.4a Handrails, is amended as follows:~~

~~902.4a Type Required. Each balustrade must be provided with a handrail moving in the same direction and at substantially the same speed as the treadway. A stopped handrail device must be provided that will cause the immediate activation of the alarm required by Rule 805.1b and, after not more than 15 seconds interruption of power to the driving machine motor and brake.~~

~~ANSI A17.1a-1988 Rule 905.1d Broken Treadway Device is amended as follows:~~

~~ANSI A17.1a-1988 Rule 905.1d Broken Treadway Device. A device must be provided which will cause interruption of power to the driving machine and brake if the connecting means between pallets or the belt breaks. Pallet type moving walks must be provided with a device which will cause interruption of power to the driving machine when a displaced or lost pallet is detected. Interruption of power must occur prior to the displaced or lost pallet entering the passenger walkway area.~~

~~Subp. 14. Rule 701.6h. Rule 701.6h is amended by adding item h to read as follows:~~

~~All hand powered dumbwaiters must be equipped with a broken rope safety device.~~

~~Subp. 15. Rule 1000.1. Rule 1000.1 is amended to read as follows:~~

~~The inspector must satisfy the minimum qualifications established in *Minnesota Statutes*, section 16B.748, clause (3).~~

~~Subp. 16. Rules 1202.12b, 1203.8b, and 1203.8c. Rules 1202.12b, 1203.8b, and 1203.8c are amended to read as follows:~~

~~When addition or repair to, or replacement of, leveling devices or truck zoning devices are performed, that work must comply with the requirements in Rules 210.1e and 306.3 and is not considered an alteration as outlined in section XII.~~

~~Subp. 17. Rule 1500.1. Rule 1500.1 is amended by adding item 1a to read as follows:~~

~~A machine room must be provided for elevator equipment to protect it from the weather.~~

~~Subp. 18. Rule 1502.7a. Rule 1502.7a is amended by adding the following language:~~

~~The car safety must also conform to the requirements of Rule 205.13.~~

~~ANSI A17.1 Subp. 19. Rule 2000 Part XX. Rule 2000 Part XX is amended by adding the following language replacing the "SCOPE" with the following:~~

~~Inclined and Vertical Wheelchair Lifts. This part applies to vertical wheelchair lifts (ANSI Section 2000), and inclined wheelchair lifts (ANSI Section 2001), installed in buildings other than in or at a private residence for use by the physically ~~handicapped~~ disabled. Wheelchair lifts do not meet the accessibility requirements contained in chapter 1340. Such lifts shall be permanently installed.~~

~~Exception: Portable lifts are permitted at temporary structures. Those lifts must have permits and inspections in accordance with part 1307.0030. See ANSI A17.1, Part XXI for the requirements for this equipment installed in or at a V for private residence elevators, and Part XXI for private residence inclined stairway chairlifts and inclined and vertical wheelchair lifts. Routine and periodic tests and inspections must be conducted according to Rule 1010.2.~~

~~The Inclined and vertical wheelchair lifts must not be exposed to the installed outside or exposed to the outside elements. Testing, Routine and periodic tests; and inspections must be made in accordance with the applicable provisions of part 1307.0085 according to Rule 1010.10.~~

~~ANSI A17.1 Rule 2000.6D is amended to read as follows:~~

~~Car and platform illumination lighting must comply with rule 204.7.~~

~~ANSI A17.1 Rule 2001.1a is amended to read as follows:~~

~~Rule 2001.1a Means of egress. Lifts must be installed so that the means of egress is maintained as required by the authority having jurisdiction.~~

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

When installed at ramps or stairs, the lift must be separated from the ramp or stair by a solid guard rail not less than 42 inches in height. Handrails complying with the requirements of the UBC Section 3306(j) must be provided on the ramp or stairway side of the guardrail, except as provided by *Minnesota Statutes*, section 16B.61, subdivision 5, paragraph (g).

ANSI A17.1 Rule 2001.6f is amended to read as follows:

Platform illumination lighting must comply with rule 204.7.

ANSI A17.1 Rule 2002 is deleted in its entirety.

Subp. 20. **Rule 2000.1a.** Rule 2000.1a(1) is amended by adding the following:

Lifts that exceed six feet (1,829 mm) of travel must have enclosures extending at least seven feet (2,134 mm) above the upper landing. Enclosure walls more than two inches thick and less than six feet (1,829 mm) high shall be sloped at the top to a 45-degree angle to prevent objects from falling into the enclosure.

Rule 2000.1a(2) is amended by adding the following:

Lifts that exceed six feet (1,829 mm) of travel must have a minimum door height of six feet, eight inches (2,032 mm). The door must guard the entire area of the opening except for the space necessary for operation of the door. Such space must reject a ball three-eighths inch (9.5 mm) in diameter.

Rule 2000.1a(3) is amended by adding the following:

Lifts that exceed six feet (1,829 mm) of travel must have a minimum door height of six feet, eight inches (2,032 mm). The door must guard the entire area of the opening except for the space necessary for operation of the door. Such space must reject a ball three-eighths inch (9.5 mm) in diameter.

Rule 2000.1a(5) is amended to read as follows:

The platform side of the landing doors and sill shall not project beyond the vertical line of travel of the platform. No hardware shall project beyond the vertical line of travel of the platform. Rule 2000.1a(7) is amended by replacing the reference to ANSI A117.1 with a reference to chapter 1341, *Minnesota Accessibility Code*.

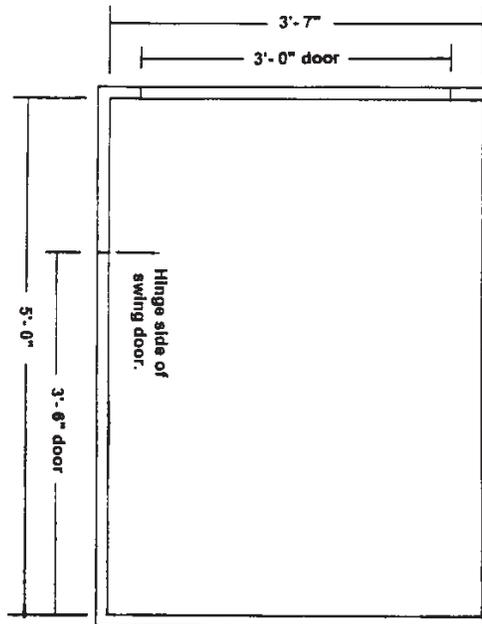
Subp. 21. **Rule 2000.1b.** Rule 2000.1b is deleted.

Subp. 22. **Rule 2000.1c.** Rule 2000.1c is deleted.

Subp. 23. **Rule 2000.6c.** Rule 2000.6c is amended by deleting it and replacing it with the following:

The inside net platform area shall measure 36 inches by 54 inches minimum, not to exceed 18 square feet (1.67 m<sup>2</sup>). Lift entrance/exit openings shall be provided on opposite ends of the platform on the sides with the shortest dimension.

Exception: Openings which create a 90-degree turn are allowed when the platform is dimensioned and provided with openings as shown in the diagram.



Subp. 24. **Rule 2000.10a.** Rule 2000.10a is amended to read as follows:

Operation. “UP” and “DOWN” control switches at all stations shall be by means of a continuous-pressure device. Controls shall be located within 30 to 36 inches above the floor and have a minimum dimension of three inches. Operating devices shall be designed so that both the “UP” and “DOWN” circuits cannot be operated at the same time.

Subp. 25. **Rule 2000.10b.** Rule 2000.10b is deleted.

Subp. 26. **Rule 2001.10a.** Rule 2001.10a is amended to read as follows:

Operation. “UP” and “DOWN” control switches at all stations shall be by means of a continuous-pressure device. Controls shall be located within 30 to 36 inches above the floor and have a minimum dimension of three inches. Operating devices shall be designed so that both the “UP” and “DOWN” circuits cannot be operated at the same time.

Subp. 27. **Rule 2001.10b.** Rule 2001.10b is deleted.

Subp. 28. **Section 2002.** Section 2002 is amended to add the following:

Rule 2002. These lifts are only allowed in single-family residences.

### **1307.0090 EXISTING INSTALLATIONS.**

~~(a)~~ **Subpart 1. Routine and periodic inspections and tests.** Notwithstanding the time intervals for routine and periodic inspections and tests established in the ASME code for existing elevators and related devices, municipalities authorized to administer this chapter may establish, by local ordinance, a time interval for routine and periodic inspections of existing elevators and related devices.

**Subp. 2. Conditions for continued operation.** All existing installations may be continued in service as long as they are properly maintained and are, in the opinion of the authority having jurisdiction, installed and maintained in a safe condition. The authority having jurisdiction may order the installation of the following basic safety devices: car gates or doors, car tops, and car walls extended extending to the car top on all existing installations, car lighting and emergency car lighting, a means of two-way conversation between the car and a readily accessible point outside the hoistway, automatic photoelectric door reopening devices, top of car and under car lights, pit light and ground fault interrupter outlet, pit safety stop switch, pit ladder, lockable escutcheon emergency door unlocking device, and emergency lock box. All hand powered elevators and hand powered dumbwaiters must have broken rope safety devices. All existing freight elevators must meet the capacity requirements of ASME A17.1-1996 Rule 207.2b to meet 50 pounds per square foot for class A and class C loading, elevator machine room lighting must meet the requirements of ASME A17.1-1996 Rule 101.5a to provide ten footcandles of illumination at the floor level. The installation of these safety devices does not require compliance with ASME A17.1-1996. The authority having jurisdiction must have the authority to shut down any piece of equipment covered by this chapter, which in the opinion of the authority having jurisdiction, is dangerous to life, limb, and adjoining property, and the equipment ~~must~~ may not be put back into operation until the unsafe condition has been corrected and approved by the authority having jurisdiction.

~~(b)~~ **Subp. 3. Damaged installations.** Any installation, whether new or existing, which becomes damaged, defective, or worn, by fire or other causes including ordinary wear to ~~such~~ the extent that in the opinion of the authority having jurisdiction it is dangerous to life, limb, and adjoining property, such installations must be repaired or rebuilt in conformity with this code. The equipment must, if in the opinion of the authority having jurisdiction, it is found necessary to protect life, limb, and property, be taken out of service until the unsafe condition has been removed. ~~An installation that is materially changed after the enactment of this code must comply with all of the requirements covering a new installation. “Material change” means a change that moves the location, increases or decreases the length of travel, changes the type of operation, increases the speed or carrying capacity, or changes the types of power supply of an existing installation.~~

~~(c)~~ **Subp. 4. Unsafe conditions.** When an inspection reveals an unsafe condition, the inspector must immediately file with the owner and the authority having jurisdiction a full and true report of the inspection and the unsafe condition. If the ~~administrative authority’s agent~~ authority having jurisdiction finds that the unsafe condition endangers human life, limb, and property, the inspector shall place a notice, in a conspicuous location, on the elevator, escalator, or moving walk that the conveyance is unsafe. The owner shall see to it that the notice of unsafe condition is legibly maintained where placed by the authority having jurisdiction. The authority having jurisdiction must issue an order in writing to the owner requiring the repairs or alterations to be made to the conveyance which are necessary to render it safe, and may order the operation discontinued until the repairs or alterations are made or the unsafe conditions are removed. A posted notice of unsafe conditions must be removed only by the authority having jurisdiction when satisfied that the unsafe conditions have been corrected.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

Compliance must be in accordance with the requirements of ANSI A17.3-1986.

**Subp. 5. Fire protection.** If sprinklers are installed in an existing elevator machine room or hoistway, automatic disconnect of the main power supply is not required if the existing elevator is hydraulic, installed prior to the adoption of ASME A17.1-1996, and equipped with Phase I and Phase II firefighter's service in compliance with Rules 211.3 through 211.9.

**Subp. 6. Other requirements.** Existing installations must conform to the requirements of:

A. ASME A17.1-1996 Part X, Routine, Periodic, and Acceptance Inspections and Tests.

B. ASME A17.1-1996 Part XII, Alterations, Repairs, Replacements, and Maintenance.

Alterations must conform to the requirements of ASME A17.1-1996 Part XII or ASME A17.3-1996, whichever is more restrictive.

**Subp. 7. Compliance schedule.**

A. Where noncompliance with code requirements creates an imminent danger to persons or property, correction must be initiated immediately and the unit may not be placed into service until the correction is made or approval is granted by the authority having jurisdiction.

B. Where noncompliance with code requirements does not create an imminent danger, the owner or manager of the property shall submit for review and approval a time schedule for compliance with the authority having jurisdiction within 30 calendar days of receipt of notification by the authority having jurisdiction.

### **1307.0070 AMENDMENTS TO ASME A17.3-1996.**

ASME A17.3 is amended as follows:

A. Door restrictive devices required by ASME A17.3-1996, Section 2.7.1 or access to the hoistway required by Section 2.7.3 may not be required unless an alteration is initiated on the car or hoistway door in accordance with ASME A17.1-1996, Rule 111.12.

B. Firefighters' service required by ASME A17.3-1996, Section 3.11.3, is not required unless an alteration to the elevator or the installation of sprinklers in the machine room or hoistway is commenced in accordance with part 1307.0065, subpart 3, and ASME A17.1-1996, Section 102.2(c)(3).

**REPEALER.** Minnesota Rules, parts 1307.0015; 1307.0020, subpart 2; 1307.0050; 1307.0055; 1307.0060; 1307.0075; and 1307.0080, are repealed.

## Department of Corrections

### Proposed Permanent Rules Governing Certification of Programs for Residential Treatment of Juvenile Sex Offenders

**DUAL NOTICE: Notice of Intent to Adopt a Rule Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing If 25 or More Requests for Hearing Are Received**

**Proposed Permanent Rules Governing Certification of Programs for Residential Treatment of Juvenile Sex Offenders, Minnesota Rules 2955.0010 to 2955.0170.**

**Introduction.** The Minnesota Department of Corrections intends to adopt a rule without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28 and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rule within 30 days or by 4:30 p.m. on December 1, 1998, a public hearing will be held at the Minnesota Department of Corrections, 1450 Energy Park Drive, Suite 200, St. Paul, Minnesota 55108-5219, starting at 9:00 a.m. on December 30, 1998. To find out whether the rule will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after December 1, 1998 and before December 30, 1998.

**Agency Contact Person.** Comments or questions on the rule and written requests for a public hearing on the rule must be submitted to the agency contact person. The agency contact person is: Alan Listiak at the Minnesota Department of Corrections, 1450 Energy Park Drive, Suite 200, St. Paul, Minnesota 55108-5219, (651) 642-0317, FAX (651) 603-0020, e-mail: [alistiak@co.doc.state.mn.us](mailto:alistiak@co.doc.state.mn.us). TTY users may call at (651) 643-3589.

**Subject of Rule and Statutory Authority.** The proposed rule is about the minimum standards and requirements that residential juvenile sex offender treatment programs in state and local correctional facilities and that state operated residential juvenile sex offender treatment programs not operated in state and local correctional facilities must meet to be certified by the commissioner of corrections. The rule describes (1) the statutory authority and purpose; (2) definition of terms; (3) procedures for certification;

(4) conditions of certification; (5) monitoring of certified programs; (6) denial, revocation, suspension, and nonrenewal of certification; (7) variance; (8) staffing requirements; (9) staff qualifications and documentation; (10) standards for sex offender admission and assessment; (11) standards for individual treatment plans; (12) standards for review of client progress in treatment; (13) standards for discharge summaries; (14) standards for residential treatment of juvenile sex offenders; (15) standards for delivery of sex offender treatment services; (16) standards for use of special assessment and treatment procedures; and (17) standards for quality assurance and program improvement. The statutory authority to adopt the rule is *Minnesota Statutes*, section 241.67, subdivision 2, paragraph (a). A copy of the proposed rule is published in the *State Register* and is attached to this notice as mailed to members of the current public advisory committee and those organizations noted in the approved notice plan in the Statement of Need and Reasonableness. If your notice does not have an attached copy of the proposed rule, a free copy of the rule is available upon request from the agency contact person listed above.

**Comments.** You have until 4:30 p.m. on December 1, 1998, to submit written comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rule must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rule. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on December 1, 1998. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rule to which you object or state that you oppose the entire rule. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rule.

**Withdrawal of Requests.** If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**Accommodation.** If you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

**Modifications.** The proposed rule may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rule may not be substantially different than this proposed rule. If the proposed rule affects you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing.** The hearing scheduled for December 30, 1998, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rule. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call Alan Listiak at (651) 642-0317, TTY (651) 643-3589, after December 1, 1998, to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit written requests for a public hearing on the rule, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.14 to 14.131. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Bruce H. Johnson is assigned to conduct the hearing. Judge Johnson can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone (612) 341-607, and FAX (612) 349-2665.

**Hearing Procedure.** If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rule. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day response period during which the agency and any inter-

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

ested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.14 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment or response period also submit a copy of the written views or data to the agency contact person at the address stated above.

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rule, including a description of who will be affected by the proposed rule and an estimate of the probable cost of the proposed rule. The statement may also be reviewed and copies obtained at the cost of reproduction from either the agency or the Office of Administrative Hearings.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the Ethical Practices Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at First Floor South, Centennial Building, 658 Cedar Street, St. Paul, MN, 55155, 1-800-657-3889, (651) 296-5148.

**Adoption Procedure if No Hearing.** If no hearing is required, the agency may adopt the rule after the end of the comment period. The rule and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rule is submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rule, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

**Adoption Procedure After the Hearing.** If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rule. You may ask to be notified of the date when the judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rule and files it with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

**Order.** I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: 16 October 1998

Gothriel La Fleur  
Commissioner

### **2955.0010 STATUTORY AUTHORITY AND PURPOSE.**

**Subpart 1. Authority.** *Minnesota Statutes*, section 241.67, subdivision 1, establishes a sex offender treatment system under the administration of the commissioner of corrections to provide and finance a range of sex offender treatment programs. *Minnesota Statutes*, section 241.67, subdivision 2, paragraph (a), requires the commissioner of corrections to adopt rules under *Minnesota Statutes*, chapter 14, that establish standards for sex offender treatment programs and for the certification of sex offender treatment programs in state and local correctional facilities and state-operated sex offender treatment programs not operated in state or local correctional facilities. A correctional facility may not operate a sex offender treatment program unless the program has met the standards adopted by and been certified by the commissioner of corrections.

**Subp. 2. Purpose and scope.** This chapter sets minimum sex offender treatment program standards through rules according to *Minnesota Statutes*, section 241.67, subdivision 2, paragraph (a). These standards apply to and provide a framework for the inspection and certification of:

- A. residential juvenile sex offender treatment programs in state and local correctional facilities; and
- B. state-operated residential juvenile sex offender treatment programs not operated in state and local correctional facilities.

### **2955.0020 DEFINITIONS.**

**Subpart 1. Scope.** As used in this chapter, the following terms have the meanings given them.

**Subp. 2. Administrative director.** "Administrative director" means the person designated to be responsible for administrative operations of a residential juvenile sex offender treatment program.

**Subp. 3. Applicant.** "Applicant" means an entity applying for a certificate or a renewal of a certificate.

**Subp. 4. Basic treatment protocol.** "Basic treatment protocol" means the statement of the philosophy, goals, and model of sex offender treatment employed by the certificate holder. The basic treatment protocol also describes the sex offender population served; the theoretical principles and operating methods employed to treat clients; the scope of the services offered; and how all

program components, such as clinical services, therapeutic milieu, group living, security, medical and psychiatric care, social services, educational services, recreational services, and spirituality, as appropriate to the program, are coordinated and integrated to accomplish the goals and desired outcomes of the protocol.

Subp. 5. **Case management.** “Case management” means the use of a planned framework of action that coordinates services both within the program and with other agencies and providers involved with a client regarding the client’s progress in treatment and plans for discharge and aftercare, as appropriate.

Subp. 6. **Certificate.** “Certificate” means the document issued by the commissioner certifying that a residential juvenile sex offender program has met the requirements of this chapter.

Subp. 7. **Client.** “Client” means a person who receives sex offender treatment in a program certified under this chapter.

Subp. 8. **Clinical supervision.** “Clinical supervision” means the documented oversight responsibility for the planning, development, implementation, and evaluation of clinical services such as admissions, intake assessment, individual treatment plans, delivery of sex offender treatment services, client progress in treatment, case management, discharge planning, and staff development and evaluation.

Subp. 9. **Clinical supervisor.** “Clinical supervisor” means the person designated to be responsible for the clinical supervision of a residential juvenile sex offender treatment program.

Subp. 10. **Commissioner.** “Commissioner” means the commissioner of the Minnesota Department of Corrections or the commissioner’s designee.

Subp. 11. **Correctional facility.** “Correctional facility” has the meaning given in *Minnesota Statutes*, section 241.021, subdivision 1, clause (5).

Subp. 12. **Criminal sexual behavior.** “Criminal sexual behavior” means any criminal sexual behavior as identified in *Minnesota Statutes*, sections 609.293 to 609.352, 609.36, 609.365, 609.79, 609.795, and 617.23 to 617.294.

Subp. 13. **Department.** “Department” means the Minnesota Department of Corrections.

Subp. 14. **Discharge summary.** “Discharge summary” means written documentation prepared at the end of treatment by the program summarizing a client’s involvement in treatment.

Subp. 15. **Family.** “Family” has the meaning given in *Minnesota Statutes*, section 260.015, subdivision 25.

Subp. 16. **Individual treatment plan.** “Individual treatment plan” means a written plan of intervention, treatment, and services for a client in a residential juvenile sex offender treatment program that is based on the results of the client’s intake assessment and is reviewed at scheduled intervals.

Subp. 17. **Legal guardian.** “Legal guardian” means a guardian as defined in *Minnesota Statutes*, section 525.539, subdivision 2, or a conservator as defined in *Minnesota Statutes*, section 525.539, subdivision 3.

Subp. 18. **License.** “License” means a license issued by the commissioner or the commissioner of human services authorizing the license holder to provide specified correctional or residential services according to the terms of the license and the rules of the commissioner or the commissioner of human services.

Subp. 19. **Paraphilia.** “Paraphilia” means a psychosexual disorder as described in the fourth edition of the *Diagnostic and Statistical Manual of Mental Disorders*, published by the American Psychiatric Association in 1994, which is incorporated by reference and is available through the Minitex interlibrary loan system. The manual is not subject to frequent change.

Subp. 20. **Progress report.** “Progress report” means a report that describes the status of a client in a sex offender treatment program.

Subp. 21. **Psychophysiological assessment of deception.** “Psychophysiological assessment of deception” means a procedure used in a controlled setting to develop an approximation of the veracity of a client’s answers to specific questions developed in conjunction with the program staff and the client by measuring and recording particular physiological responses to those questions.

Subp. 22. **Psychophysiological assessment of sexual response.** “Psychophysiological assessment of sexual response” means a procedure used in a controlled setting to develop an approximation of a client’s sexual response profile and insight into the client’s sexual motivation by measuring and recording particular physiological and subjective responses to a variety of sexual stimuli.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

**Subp. 23. Residential juvenile sex offender treatment program.** “Residential juvenile sex offender treatment program” means a program certified by the commissioner that provides sex offender treatment to juvenile sex offenders in which the offender resides and offering a program of services on a 24-hour basis.

**Subp. 24. Serious violations of policies and procedures.** “Serious violations of policies and procedures” means a violation that threatens the quality and outcomes of the treatment services, or the health, safety, security, detention, or well-being of clients or program staff; and the repeated nonadherence to program policies and procedures.

**Subp. 25. Sex offender.** “Sex offender” means a person who has engaged in, or attempted to engage in, criminal sexual behavior as defined in subpart 12 or who is ordered to sex offender treatment incident to adjudication for any other crime.

**Subp. 26. Sex offender intake assessment.** “Sex offender intake assessment” means the assessment of a sex offender after admission to a residential sex offender treatment program to determine the client’s current cognitive, emotional, behavioral, and sexual functioning; amenability to treatment; risk level; and treatment needs.

**Subp. 27. Sex offender treatment.** “Sex offender treatment” means a comprehensive set of planned and organized services and therapeutic experiences and interventions that are intended to improve the prognosis, function, or outcome of clients to reduce their risk of sexual reoffense, or other sexually abusive and other aggressive behavior, by assisting them to adjust to and deal more effectively with their life situations. The focus of sex offender treatment is on:

A. the occurrence and dynamics of sexual behavior and provision of information, psychotherapeutic interventions, and support to clients to assist them to develop the motivation, skills, and behaviors that promote change and internal self-control; and

B. the coordination of services with other agencies and providers involved with a client to promote external control of the client’s behavior.

Sex offender treatment does not include treatment that addresses sexually abusive or criminal sexual behavior that is provided incidental to treatment for mental illness, mental retardation, or chemical dependency.

**Subp. 28. Sexually abusive behavior.** “Sexually abusive behavior” means any sexual behavior in which:

A. the other person involved does not or cannot freely consent to participate;

B. the relationship between the persons is unequal; or

C. verbal or physical intimidation, manipulation, exploitation, coercion, or force is used to gain participation.

**Subp. 29. Special assessment and treatment procedures.** “Special assessment and treatment procedures” means procedures used in sex offender assessment and treatment that are intrusive, intensive, or restrictive and present a potential physical or psychological risk when used without adequate care. A special assessment and treatment procedure that is intrusive impinges upon or invades a client’s normal physical or psychological boundaries. The procedures include the psychophysiological assessment of deception and sexual response and treatment strategies that involve the use of aversive or painful stimuli. A special assessment and treatment procedure that is intensive involves the application of a procedure in a strong or amplified form in order to increase the effect of the procedure for a client. The procedures include marathon therapy sessions, psychodrama and role play involving the reenactment of criminal sexual behaviors or victimization, and certain forms of behavioral management in the therapeutic milieu; for example, high-level confrontation. A special assessment and treatment procedure that is restrictive limits or controls a client’s privileges, access to resources, or freedom of movement in the program. The procedures include certain forms of behavioral management in the therapeutic milieu such as the use of seclusion, timeout, and restraint.

**Subp. 30. Supervising agent.** “Supervising agent” means the parole or probation agent working with a client.

**Subp. 31. Therapeutic milieu.** “Therapeutic milieu” means the planned and controlled use of the program environment and components as part of the treatment regimen to foster and support desired behavioral and cognitive changes in clients. A therapeutic milieu functions to coordinate and integrate supervised group living and the delivery of treatment services with other program components such as security, medical and psychiatric care, social services, nutrition, education, recreation, and spirituality. The nature and degree of development of a therapeutic milieu in the program may vary, depending upon the certificate holder’s basic treatment protocol and the environmental and other conditions in which the program operates.

**Subp. 32. Treatment team.** “Treatment team” means at least two persons employed by or under contract to a residential juvenile sex offender treatment program who provide assessment, treatment, or clinical oversight services to clients.

**Subp. 33. Variance.** “Variance” means written permission given by the commissioner allowing the applicant or certificate holder to depart from specific provisions of this chapter for a specific period of time.

**Subp. 34. Victim.** “Victim” has the meaning given in *Minnesota Statutes*, section 611A.01, paragraph (b).

**2955.0030 PROCEDURES FOR CERTIFICATION.**

**Subpart 1. Filing application for certification.** The administrative director or other person in charge of a previously uncertified residential juvenile sex offender treatment program must file an application for certification with the commissioner of corrections at least 60 days prior to the date the program expects to begin providing sex offender treatment. Completed applications must be considered for certification by the commissioner.

**Subp. 2. Application for renewal of certification.** The administrative director or other person in charge of a certified residential juvenile sex offender treatment program must file an application to renew certification with the commissioner at least 60 days prior to expiration of the current certificate. The application must include a record of changes in the treatment program or facility during the period covered by the current certification and contemplated changes for the coming certification period.

**Subp. 3. Application by programs required to be certified under this chapter but in operation prior to the effective date of this chapter.** The administrative director or other person in charge of a program required to be certified under this chapter but in operation prior to the effective date of this chapter must file an application with the commissioner within 60 days following the publication of a notice of adoption of this chapter in the *State Register*.

**2955.0040 CONDITIONS OF CERTIFICATION.**

**Subpart 1. Issuance of certificate.** An applicant must be issued a certificate if the residential juvenile sex offender treatment program conforms with this chapter, or the commissioner determines that the applicant is making satisfactory progress toward conformance, and the quality of treatment and the interests and well-being of the clients and staff are protected.

**Subp. 2. Review of applicant.** A review of the applicant shall begin after the commissioner receives the completed application. Before a certificate is issued or renewed, the commissioner must complete a certification study that includes:

- A. inspection of the physical plant, program records, and documents;
- B. review of all conditions required to be in compliance with this chapter; and
- C. observation of the program in operation or review of the plans for beginning operations.

**Subp. 3. Term.** The certificate shall remain in force for one year unless revoked. The commissioner may issue a certificate for up to two years to programs that have operated for at least one year without negative action against the program's certification or any relevant license or accreditation.

**Subp. 4. Posting required.** A residential juvenile sex offender treatment program must post the certificate conspicuously in an area where it may be read by clients.

**Subp. 5. Nontransferable.** A certificate is not transferable. Certification applies only to the entity to whom it is issued.

**Subp. 6. Commissioner approval of proposed changes required.** The certificate holder must notify the commissioner in writing and obtain the commissioner's approval at least 20 days prior to making any changes in relevant licensing or accreditation conditions, staffing patterns that reduce the amount of program services, the total number of hours, or the type of program services offered to clients.

**Subp. 7. Void.** The certification is void if there is a change in location, organization, procedure, or policies that affect either the terms of the certification or any relevant facility license or accreditation, the program's continuing eligibility for certification, or the facility's continuing eligibility for licensure, or accreditation.

**2955.0050 MONITORING OF CERTIFIED PROGRAMS.**

**Subpart 1. Purpose.** Each certified residential juvenile sex offender treatment program must be monitored to ensure that it is in compliance with the standards established in this chapter. Monitoring is conducted by department personnel with demonstrated understanding and expertise in program evaluation and the treatment of juvenile sex offenders.

**Subp. 2. Program review and site visit.** Each program may be monitored through a site visit. This site visit may be timed to coincide with other licensing inspections or evaluations. The department's visits to a program to investigate complaints or for any other lawful purpose may take place at any time and shall be conducted according to *Minnesota Statutes*, section 241.021, subdivision 1.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

**Subp. 3. Program monitoring records.** Each program must maintain sufficient documentation in client and operational records to verify that it complies with the requirements of this chapter. Each program must also document compliance with its written policies and procedures, including, but not limited to: the number of clients served; the type, amount, frequency, and cost of services provided; the consistency of services delivered with individual client treatment plans; the effectiveness in achieving the client's treatment goals; and other information requested by the department on forms provided by the department.

### **2955.0060 DENIAL, REVOCATION, SUSPENSION, AND NONRENEWAL OF CERTIFICATION.**

**Subpart 1. Compliance required.** The commissioner must deny the application for certification of an applicant that does not comply with this chapter. The commissioner must revoke or suspend the certification of a residential juvenile sex offender treatment program if the program does not comply with this chapter. The commissioner must not renew the certification of an applicant who has a history of failure to comply with the standards and procedures of this chapter.

**Subp. 2. Notice of noncompliance.** The commissioner must notify by certified mail any applicant or certificate holder that does not comply with this chapter that its certificate may be denied, revoked, suspended, or not renewed. This notice must state the grounds for such action and must inform the applicant or certificate holder of the actions required to correct the situation or to apply for a variance and that the applicant or certificate holder has 30 days to respond and comply with the requirements of the notice of noncompliance.

**Subp. 3. Notice to program of action.** After the 30-day period to respond to the notice of noncompliance has expired, an applicant or certificate holder that does not take the action required by the notice of noncompliance must be notified in writing, by certified mail, that its certificate has been denied, revoked, suspended, or not renewed. The notice must inform the applicant or certificate holder of the right to appeal the commissioner's action.

**Subp. 4. Shortened notice to program of action.** A program whose residential or correctional facility license or accreditation is revoked, suspended, or not renewed, or a program whose operation poses an immediate danger to the health and safety of the clients or the community, must have its certificate revoked or suspended by the commissioner upon delivery of the notice of revocation or suspension to the certificate holder or any staff person at the program.

**Subp. 5. Notification to commissioner of investigation or litigation.** An applicant or certificate holder must notify the commissioner by the next working day if the program or any of its staff has:

A. received official notice that a licensing board or professional accreditation organization is investigating malpractice or ethical violations;

B. been named as a party defendant in a civil action where a complaint has been filed with the court or has been named as a defendant in a criminal proceeding, where either the civil or criminal proceeding is related to the delivery of services or professional activities; or

C. received official notice that a staff person is being investigated for child abuse or maltreatment of minors.

**Subp. 6. Temporary suspension.** A program's certification may be temporarily suspended if subpart 5, item A, B, or C, applies and the commissioner determines that there is a likelihood that the program will be rendered ineffective by the investigation or litigation or there is a risk of harm to a client or the community related to the violation alleged.

**Subp. 7. Revocation.** A program's certification may be revoked if the program is found guilty of any criminal charges or liable in any civil litigation related to actions relating to subpart 5, item A, B, or C.

**Subp. 8. Appeals.** An applicant or certificate holder whose application for certification is denied or whose certificate is revoked, suspended, or not renewed may appeal the commissioner's action. The appeal must be in writing and mailed to the commissioner within 30 days of the date of the notice of action in subpart 3. The commissioner may reconsider the action of the department or may arrange a date for hearing the appeal with the Office of Administrative Hearings. The department must advise the appellant of the department's action on the appeal no later than 30 days after the receipt of the written appeal to the commissioner.

### **2955.0070 VARIANCE.**

**Subpart 1. Request for variance.** An applicant or certificate holder may request a variance for up to one year from the requirements of this chapter. A request for a variance must be submitted to the commissioner on a form supplied by the commissioner. The request must specify:

A. the part number of the rule requirement from which the variance is requested;

B. the reasons why the applicant or certificate holder cannot comply with the rule requirement;

C. the period of time for which the variance has been requested; and

D. the equivalent measures the applicant or certificate holder must take to ensure the quality and outcomes of the treatment services and the health, safety, and rights of clients and staff, and to comply with the intent of this chapter, if the variance is granted.

**Subp. 2. Evaluation of a variance request.** A variance may be granted if the commissioner determines that the conditions in items A to F exist.

A. Compliance with one or more of the provisions shall result in undue hardship, or jeopardize the quality and outcomes of the treatment services or the health, safety, security, detention, or well-being of clients or program staff.

B. The residential juvenile sex offender treatment program otherwise conforms with the standards in this chapter or is making satisfactory progress toward conformity.

C. Granting the variance shall not preclude the program from making satisfactory progress toward conforming with this chapter.

D. Granting the variance shall not leave the well-being of the clients unprotected.

E. The program shall take other action as required by the commissioner to comply with the general purpose of the standards.

F. Granting the variance does not violate applicable laws and rules.

**Subp. 3. Notice by commissioner.** Within 30 days after receiving the request for a variance and documentation supporting it, the commissioner must inform the applicant or certificate holder in writing whether the request has been granted or denied and the reasons for the decision. The commissioner's decision to grant or deny a variance request is final and not subject to appeal under Minnesota Statutes, chapter 14.

#### **2955.0080 STAFFING REQUIREMENTS.**

**Subpart 1. Highest requirement.** If the staffing requirements of this part conflict with the staffing requirements of applicable rules governing a program's licensure or accreditation, the highest staffing requirement is the prevailing requirement.

**Subp. 2. Administrative director required.** The program must employ or have under contract an administrative director who meets the requirements under part 2955.0090, subpart 2.

**Subp. 3. Responsible staff person.** Where appropriate, the administrative director must, during all hours of operation, designate a staff member who is present in the program as responsible for the program.

**Subp. 4. Clinical supervisor required; duties.** The program must employ or have under contract a clinical supervisor who meets the requirements under part 2955.0090, subpart 3. For each client in the program, a clinical supervisor must provide at least two hours per month of clinical supervisory service. The clinical supervisor must establish a staff evaluation and supervision procedure that identifies the performance and competence of each treatment staff person and ensures that each staff person received the guidance and support needed to provide treatment services in the areas in which the person practices. At least four hours per month must be devoted to the clinical supervision of each staff person providing treatment services. Clinical supervision of staff may be provided in individual or group sessions. The clinical supervisor must document all clinical supervisory activities in the appropriate location.

**Subp. 5. Sex offender treatment staff required.** The program must employ or have under contract staff who are responsible and qualified to deliver sex offender treatment services in the program. The sex offender treatment staff include: the clinical supervisor who meets the qualifications in part 2955.0090, subpart 3; the sex offender therapist who meets the qualifications in part 2955.0090, subpart 4; and the sex offender counselor who meets the qualifications in part 2955.0090, subpart 5.

**Subp. 6. One person occupying more than one position.** One person may be simultaneously employed as the administrative director, clinical supervisor, or sex offender therapist if the individual meets the qualifications for those positions. If a sex offender therapist is simultaneously an administrative director or clinical supervisor, that individual is considered less than a full-time equivalent sex offender therapist as a proportion of the work hours performed in the other positions.

**Subp. 7. Ratio of sex offender treatment staff to clients.** The program must have sufficient sex offender treatment staff to provide the required program services, implement individual treatment plans, and maintain the safety and security of the program. The number of work hours performed by the sex offender treatment staff may be averaged weekly and combined in different ways, depending on program needs, to achieve a minimum ratio of one full-time equivalent position for each ten clients in the primary phases of treatment and one full-time equivalent position for each 20 clients in the transition and reentry phases of treatment.

**Subp. 8. Staffing plan.** The program must develop and implement a staffing plan that identifies the assignments of program, security, and sex offender treatment staff so that the staff level is adequate to implement the programming and maintain the safety and security of the program.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

**Subp. 9. Staff orientation, development, and training.** The program must have a written staff orientation, development, and training plan for each sex offender treatment staff person. The program shall require that each sex offender treatment staff person complete the amount of course work or training specified in this part. The education must augment job-related knowledge, understanding, and skills to update or enhance the treatment staff's ability to deliver clinical services for the treatment of sexually offending behavior and be documented in the staff person's orientation, development, and training plan.

A. A staff member who works an average of half time or more in a year must complete at least 40 hours per biennium of course work or training.

B. A staff member who works an average of less than half time in a year shall complete at least 26 hours per biennium of course work or training.

**Subp. 10. Examiners conducting psychophysiological assessments of deception.** A program that uses psychophysiological assessments of deception as part of its services must employ or contract with an examiner to conduct the procedure who meets the requirements under part 2955.0090, subpart 6.

**Subp. 11. Examiners conducting psychophysiological assessments of sexual response.** A program that uses psychophysiological assessments of sexual response as part of its services must employ or contract with an examiner to conduct the procedure who meets the requirements under part 2955.0090, subpart 7.

### **2955.0090 STAFF QUALIFICATIONS AND DOCUMENTATION.**

**Subpart 1. Qualifications for all employees working directly with clients.** All persons working directly with clients must meet the following requirements:

A. meet the rule requirements of the applicable residential or correctional facility license or accreditation, if any;

B. be at least 21 years of age; and

C. have a criminal records check before employment at the program.

**Subp. 2. Qualifications for administrative director.** In addition to the requirements of subpart 1, an administrative director must meet the criteria in items A to C.

A. An administrative director must hold a postgraduate degree in the behavioral sciences or a field relevant to administering a sex offender program from an accredited college or university, with at least two years of work experience providing services in a correctional or human services program. Alternately, an administrative director must have a bachelor's degree in the behavioral sciences or field relevant to administering a sex offender program from an accredited college or university, with a minimum of four years of work experience in providing services in a correctional or human services program.

B. An administrative director must have 2,000 hours of experience in the administration or supervision of a correctional or human services program.

C. An administrative director must have 40 hours of training in topics relating to the management and treatment of sex offenders and human sexuality.

**Subp. 3. Qualifications for clinical supervisor.** In addition to the requirements in subpart 1, a clinical supervisor must meet the criteria in items A to C.

A. A clinical supervisor must be licensed as a psychologist under *Minnesota Statutes*, section 148.907; an independent clinical social worker under *Minnesota Statutes*, section 148B.21; a marriage and family therapist under *Minnesota Statutes*, sections 148B.29 to 148B.39; a physician under *Minnesota Statutes*, section 147.02, and certified by the American Board of Psychiatry and Neurology or eligible for board certification in psychiatry; or a registered nurse under *Minnesota Statutes*, sections 148.171 to 148.285, and certified as a clinical specialist in juvenile psychiatric and mental health nursing by the American Nurses Association.

B. A clinical supervisor must have experience and proficiency in the following areas:

(1) at least 4,000 hours of full-time supervised experience in the provision of individual and group psychotherapy to individuals in at least one of the following settings: corrections, chemical dependency, mental health, developmental disabilities, social work, or victim services;

(2) 2,000 hours of supervised experience in the provision of direct therapy services to sex offenders;

(3) sex offender assessment; and

(4) case management, including treatment planning, general knowledge of social services and appropriate referrals, and recordkeeping, mandatory reporting requirements, and confidentiality rules and regulations that apply to juvenile sex offender clients.

C. A clinical supervisor must have training in the following areas or subjects:

(1) 30 hours in child or adolescent development;

- (2) 12 hours in clinical supervision;
- (3) 16 hours in the treatment of cognitive distortions, thinking errors, and criminal thinking;
- (4) 16 hours in behavioral therapies for sex offenders;
- (5) 16 hours in relapse prevention;
- (6) 16 hours in human sexuality;
- (7) 16 hours in family systems;
- (8) 12 hours in crisis intervention;
- (9) 12 hours in the policies and procedures of the Minnesota criminal justice system; and
- (10) 12 hours in substance abuse treatment.

Persons who do not have the training required in this part shall have one year from their date of hire to complete the training.

Subp. 4. **Qualifications for sex offender therapist.** In addition to the requirements under subpart 1, a sex offender therapist must meet the criteria in items A to C.

A. A sex offender therapist must be licensed as a psychologist under *Minnesota Statutes*, section 148.907; a psychological practitioner under *Minnesota Statutes*, section 148.908; an independent clinical social worker under *Minnesota Statutes*, section 148B.21; a marriage and family therapist under *Minnesota Statutes*, sections 148B.29 to 148B.39; a physician under *Minnesota Statutes*, section 147.02, and certified by the American Board of Psychiatry and Neurology or eligible for board certification in psychiatry; or a registered nurse under *Minnesota Statutes*, sections 148.171 to 148.285, and certified as a clinical specialist in juvenile psychiatric and mental health nursing by the American Nurses Association.

B. A sex offender therapist must have experience and proficiency in the following areas:

(1) 2,000 hours of supervised experience in the provision of individual and group psychotherapy to individuals in one of the following settings: corrections, chemical dependency, mental health, developmental disabilities, social work, or victim services;

(2) 2,000 hours of supervised experience in the provision of direct therapy services to sex offenders;

(3) sex offender assessment; and

(4) case management, including treatment planning, general knowledge of social services and appropriate referrals, and recordkeeping, mandatory reporting requirements, and confidentiality rules and regulations that apply to juvenile sex offender clients.

C. A sex offender therapist must have training in the following areas or subjects:

(1) 30 hours in child or adolescent development;

(2) 16 hours in the treatment of cognitive distortions, thinking errors, and criminal thinking;

(3) 16 hours in behavioral therapies for sex offenders;

(4) 16 hours in relapse prevention;

(5) 16 hours in human sexuality;

(6) 16 hours in family systems;

(7) 12 hours in crisis intervention;

(8) 12 hours in the policies and procedures of the Minnesota criminal justice system; and

(9) 12 hours in substance abuse treatment.

Persons who do not have the training required in this part shall have one year from their date of hire to complete the training.

Subp. 5. **Qualifications for sex offender counselor.** In addition to the requirements specified under subpart 1, a sex offender counselor must meet the criteria in items A to C.

A. A sex offender counselor must hold a postgraduate degree or bachelor's degree in one of the behavioral sciences or related fields from an accredited college or university.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

B. A sex offender counselor holding a bachelor's degree must have experience and proficiency in one of the following areas:

(1) 1,000 hours of experience in the provision of direct counseling or case management services to clients in one of the following settings: corrections, chemical dependency, mental health, developmental disabilities, social work, or victim services;

(2) 500 hours of experience in the provision of direct counseling or case management services to sex offenders or other involuntary clients; or

(3) 2,000 hours of experience in a secured correctional or community corrections environment.

C. A sex offender counselor holding either degree must have training in the following areas or subjects:

(1) 30 hours in child or adolescent development;

(2) 12 hours in the treatment of cognitive distortions, thinking errors, and criminal thinking;

(3) eight hours in behavioral therapies for sex offenders;

(4) eight hours in relapse prevention;

(5) eight hours in human sexuality;

(6) eight hours in family systems;

(7) four hours in crisis intervention;

(8) four hours in the policies and procedures of the Minnesota criminal justice system; and

(9) four hours in substance abuse.

Persons who do not have the training required in this part shall have one year from their date of hire to complete the training.

**Subp. 6. Qualifications for examiners conducting psychophysiological assessments of deception.** The examiner conducting psychophysiological assessments of deception must:

A. be a full or associate member in good standing of the American Polygraph Association; and

B. have 40 hours of training in the clinical use of this procedure in the assessment, treatment, and supervision of sex offenders.

**Subp. 7. Qualifications for examiners conducting psychophysiological assessments of sexual response.**

A. The clinical level examiner conducting psychophysiological assessments of sexual response must:

(1) be a doctor of medicine licensed under *Minnesota Statutes*, section 147.02, a psychologist licensed under *Minnesota Statutes*, section 148.907, or a social worker licensed under *Minnesota Statutes*, section 148B.21;

(2) have 40 hours of training in the clinical use of this procedure in the assessment and treatment of sex offenders; and

(3) have conducted five assessments under the direct supervision of a clinical level examiner who was present through the entire procedure.

Persons who meet the qualifications in subitem (1) and have been conducting psychophysiological assessments of sexual response for three years or more at the time this chapter becomes effective are exempt from the qualifications specified in subitems (2) and (3).

B. The technical level examiner conducting psychophysiological assessments of sexual response must:

(1) be under the direct supervision of a clinical level examiner;

(2) have eight hours of training in the clinical use of this procedure in the assessment, treatment, and supervision of sex offenders; and

(3) have conducted five assessments under the direct supervision of a clinical level examiner who was present through the entire procedure.

**Subp. 8. Documentation of qualifications.**

A. The department shall accept one of the following as adequate documentation that the staff described in subparts 2 to 7 have the required qualifications:

(1) copies of required professional licenses and other relevant certificates and memberships; and

(2) copies of official transcripts, attendance certificates, syllabi, or other credible evidence documenting successful completion of required training.

B. All qualification documentation must be maintained by the program in the employee's personnel file or other appropriate personnel record.

**Subp. 9. Existing staff exempt from qualifications for current position when this chapter becomes effective.** Administrative directors and sex offender treatment staff who have been in their positions for six months or more at the time this chapter becomes effective are exempt from the qualifications specified for their positions in this part, but must meet the qualifications required under subpart 1 or for other positions defined in this part.

### **2955.0100 STANDARDS FOR SEX OFFENDER ADMISSION AND ASSESSMENT.**

**Subpart 1. Admission procedure and new client intake assessment required.** A written admission procedure must be established that includes the determination of the appropriateness of the client by reviewing the client's condition and need for treatment, the treatment services offered by the program, and other available resources. This procedure must be coordinated with the external, nonclinical conditions required by the legal, correctional, and administrative systems within which the program operates. An intake assessment process must also be established that determines the client's functioning and treatment needs. All clients admitted to a residential juvenile sex offender treatment program must have a written intake assessment completed within the first 30 days of admission to the program.

**Subp. 2. Assessments conducted by qualified staff.** The clinical supervisor must direct qualified staff to gather the requisite information during the intake assessment process and any subsequent reassessments. The staff who conduct the intake assessment must be trained and experienced in the administration and interpretation of sex offender assessments.

**Subp. 3. Intake assessment appropriate to basic treatment protocol of program.** A program may adapt the parameters specified in subparts 6 to 8 to conduct assessments that are appropriate to the program's basic treatment protocol. The rationale for the particular adaptation must be provided in the program policy and procedures manual as specified under part 2955.0140, subpart 1, item E.

**Subp. 4. Reassessment.** At the discretion of the treatment team, a full or partial reassessment may be conducted to assist in decisions regarding the client's progress in treatment, movement within the structure of the program, receipt or loss of privileges, and discharge from the program.

**Subp. 5. Cultural sensitivity.** Assessments must take into consideration the effects of cultural context, ethnicity, race, social class, and geographic location on the personality, identity, and behavior of the client.

**Subp. 6. Sources of assessment data.** Sources of data may include:

A. collateral information, such as police reports, victim statements, child protection information, presentence sex offender assessments, presentence investigations, and delinquent and criminal history;

B. psychological and psychiatric test information;

C. sex offender-specific test information, including psychophysiological measurement of deception and sexual response;

D. relevant medical information;

E. interviews with the client;

F. previous and concurrent assessments of the client, including chemical dependency, psychological, educational, and vocational;

G. interviews, telephone conversations, or other communication with the client's family members, friends, victims, witnesses, probation officers, and police; and

H. observation and evaluation of the client's functioning and participation in the treatment process while in residency.

**Subp. 7. Dimensions included in assessment.** The assessment must include, but is not limited to, baseline information about the following dimensions, as appropriate:

A. a description of the client's conviction or adjudication offense, noting the facts of the criminal complaint, the client's description of the offense, any discrepancies between the client's and the official's or victim's description of the offense, and the assessor's conclusion about the reasons for any discrepancies in the information;

B. the client's history of perpetration of sexually abusive and criminal sexual behavior and delineation of patterns of sexual response that considers such variables as:

(1) the number and types of known and reported sexually abusive and criminal sexual behaviors committed by the client;

(2) the type of sexual aggression used and any use of weapons;

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

---

(3) the number, age, sex, relationship to client, and other relevant characteristics of the victims;

(4) the type of injury to the victims and the impact of the sexually abusive or criminal sexual behavior on the victims;

(5) the dynamics and process of victim selection;

(6) the role of chemical use prior to, during, and after any sexually abusive and criminal sexual behaviors;

(7) the degree of impulsivity and compulsivity, including any attempts by the client to control or eliminate offensive behaviors, including previous treatment;

(8) use of cognitive distortions, thinking errors, and criminal thinking in justifying, rationalizing, and supporting the sexually abusive and criminal sexual behaviors;

(9) the reported degree of sexual arousal or response prior to, during, and after any sexually abusive and criminal sexual behaviors;

(10) a profile of sexual arousal or response, including any paraphilic or sexually abusive fantasies, desires, and behaviors;

(11) the degree of denial and minimization, degree of remorse and guilt regarding the offense, and degree of empathy for the victim expressed by the client; and

(12) the developmental progression of sexually abusive behavior over time;

C. the client's developmental sexual history that considers such variables as:

(1) family of origin or other caretaker attitudes about sexuality and the sexual atmosphere;

(2) childhood and adolescent learning about sexuality, patterns of sexual interest, and sexual play;

(3) history of reported sexual victimization;

(4) sexual history time line;

(5) courtship behaviors and relationships, including marriages;

(6) experience of puberty;

(7) exposure to and use of sexually explicit materials;

(8) nature and use of sexual fantasies;

(9) masturbation pattern and history;

(10) sense of gender identity and sex role behavior and attitude;

(11) sexual orientation; and

(12) sexual attitudes and knowledge;

D. the client's history of any other aggressive or criminal behavior;

E. the client's personal history that includes such areas as:

(1) current living circumstances and relationships;

(2) prior out-of-home placements and living arrangements;

(3) medical history;

(4) educational history;

(5) chemical abuse history;

(6) employment and vocational history; and

(7) military history;

F. a family history that considers such variables as:

(1) reported family composition and structure;

(2) parental separation and loss;

(3) family strengths and dysfunctions;

(4) criminal history;

(5) chemical abuse history;

(6) mental health history;

(7) sexual, physical, and emotional maltreatment; and

(8) family response to the sexual criminality;

G. the views and perceptions of significant others, including their ability or willingness to support any treatment efforts;

H. personal mental health functioning that includes such variables as:

(1) mental status;

(2) intellectual functioning;

(3) coping abilities, adaptational styles, and vulnerabilities;

(4) impulse control and ritualistic or obsessive behaviors;

(5) personality attributes and disorders and affective disorders;

(6) learning disability or attention deficit disorder;

(7) posttraumatic stress behaviors, including any dissociative process that may be operative;

(8) organicity and neuropsychological factors; and

(9) assessment of vulnerability;

I. the findings from any previous and concurrent sex offender, psychological, psychiatric, physiological, medical, educational, vocational, or other assessments; and

J. identification of factors that may inhibit as well as contribute to the commission of offensive behavior that may constitute significant aspects of the client's offense cycle and their current level of influence on the client.

**Subp. 8. Administration of psychological testing and assessments of adaptive behavior.** Where possible, psychological tests and assessments of adaptive behavior, adaptive skills, and developmental functioning used in sex offender intake assessments must be standardized and normed for the given population tested. The results of the tests must be interpreted by a qualified person who is trained and experienced in the interpretation of the tests. The results may not be used as the only or the major source of risk assessment.

**Subp. 9. Assessment conclusions and recommendations.**

A. The conclusions and recommendations of the intake assessment must be based on the information obtained during the assessment. The clinical supervisor must convene a treatment team meeting to review the findings and develop the assessment conclusions and recommendations.

B. The interpretations, conclusions, and recommendations described in the assessment report must show consideration of the:

(1) strengths and limitations of the procedures used in the assessment;

(2) strengths and limitations of self-reported information and demonstration of reasonable efforts to verify information provided by the client; and

(3) client's legal status and the relevant criminal and legal considerations.

C. The interpretations, conclusions, and recommendations described in the assessment report must:

(1) be impartial and provide an objective and accurate base of data;

(2) note any issues or questions that exceed the level of knowledge in the field or the expertise of the assessor; and

(3) address the issues necessary for appropriate decision making regarding treatment and reoffense risk factors.

**Subp. 10. Assessment report.** The assessment report must be based on the conclusions and recommendations of the treatment team review. One qualified sex offender treatment staff person who is also a team member must be responsible for the integration and completion of the written report, which is signed and dated and placed in the client's file. The report must include at least the following areas:

A. a summary of diagnostic and typological impressions of the client;

B. an initial assessment of the factors that both protect and place the client at risk for unsuccessful completion of the program and sexual reoffense;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

C. a conclusion about the client's amenability to treatment; and

D. a conclusion regarding the appropriateness of the client for placement in the program:

(1) if residential sex offender treatment is determined to be inappropriate, a recommendation for alternative placement or treatment is provided; or

(2) if the assessment determines that the client is appropriate for the program, the report must present:

(a) an outline of the client's sex offender treatment needs and the treatment goals and strategies to address those needs;

(b) recommendations, as appropriate, for the client's needs for services in adjunctive areas such as health, chemical dependency, education, vocational skills, recreation, and leisure activities;

(c) a note of any concurrent psychological or psychiatric disorders, their potential impact on the treatment process, and suggested remedial strategies; and

(d) recommendations, as appropriate, for additional assessments or necessary collateral information, referral, or consultation.

### **2955.0110 STANDARDS FOR INDIVIDUAL TREATMENT PLANS.**

**Subpart 1. Initial individual treatment plan.** A written individual treatment plan for each client must be completed within 30 days of the client's entrance into the program. The individual treatment plan and the interventions designated to achieve its goals must be based on the initial treatment recommendations developed in the intake assessment with additional information from the client and, when possible, the client's family or legal guardian. Input may also be obtained from the program staff, appropriate representatives from outside social service and criminal justice agencies, and other appropriate resources. One qualified sex offender treatment staff person must be responsible for the integration and completion of the written plan, which is signed and dated and placed in the client's file.

**Subp. 2. Explanation, signature, and copies required.** The individual treatment plan must be explained and a copy provided to the client and, if appropriate, the client's family or legal guardian. The program must seek a written acknowledgment that the client and, if appropriate, the client's family or legal guardian have received and understand the individual treatment plan. The individual treatment plan and documentation related to it must be kept at the program in the client's case file. A copy of the client's individual treatment plan must be made available to the supervising agent, if requested, when it is completed.

**Subp. 3. Plan contents.** The individual treatment plan must include at least the following information:

A. the sex offender treatment goals and specific time-limited objectives to be addressed by the client;

B. measurable outcomes for each time-limited treatment objective that specify the therapeutic experiences and interventions most necessary to assist the client achieve the objectives;

C. the impact of any concurrent psychological or psychiatric disorders on the client's ability to participate in treatment and to achieve treatment goals and objectives;

D. other problem areas to be resolved by the client;

E. a list of the services required by the client and the entity who will provide the required services;

F. the estimated length of time the client will be in the program; and

G. provisions for the protection of victims and potential victims, as appropriate.

### **2955.0120 STANDARDS FOR REVIEW OF CLIENT PROGRESS IN TREATMENT.**

**Subpart 1. Responsibility and documentation.** At least weekly, progress notes must be entered in client files indicating the types and amounts of services each client has received and whether the services have had the desired impact. At least quarterly, the treatment team must review and document each client's progress toward achieving individual treatment plan objectives, approve movement within the structure of the program, and review and modify treatment plans. Documentation of the review must be in each client's file within ten days after the end of the review period.

**Subp. 2. Review session.** A progress review session must involve the client and, if necessary, the client's family or legal guardian, and at least one member of the treatment team. Where appropriate, the program must inform the client's supervising agent and family or legal guardian of the scheduling of each progress review, invite them to attend, and provide them with a written summary of the review session. The names of the persons attending the review session who are not clients must be documented in the client's file.

**2955.0130 STANDARDS FOR DISCHARGE SUMMARIES.**

Subpart 1. Written notification. Where applicable, written notice must be provided to the client's supervising agent within 24 hours of a client's discharge from the program.

Subp. 2. Written summary completed within 14 days. A written discharge summary for each client discharged from the program must be completed within 14 days of the client's discharge from the program, or upon request by an interested party.

Subp. 3. Summary content. The discharge summary must include at least the following information:

- A. the admission date;
- B. the discharge date;
- C. reasons for the client being discharged from the program;
- D. a brief summary of the client's current conviction and past criminal record;
- E. the client's mental status and attitude at the time of discharge;
- F. prescribed medications at discharge;
- G. the client's progress in achieving individual treatment plan goals;
- H. an assessment of the client's offense cycle and protective and risk factors for sexual reoffense and other aggressive behavior;
- I. a description of the client's reoffense prevention plan, including what changes in the client's reoffense potential have been accomplished and what risk factors remain;
- J. the client's aftercare and community reentry plans; and
- K. recommendations for aftercare and continuing treatment.

**2955.0140 PROGRAM STANDARDS FOR RESIDENTIAL TREATMENT OF JUVENILE SEX OFFENDERS.**

Subpart 1. Program policy and procedures manual. Each program must develop and follow a written policy and procedures manual. The manual must be made available to clients and program staff. The manual must include, but is not limited to:

A. the basic treatment protocol used to provide services to clients, as defined by the philosophy, goals, and model of treatment employed, including the:

- (1) sex offender population served;
  - (2) theoretical principles and operating methods used to deliver services to identified treatment needs of clients served;
- and
- (3) scope of the services offered;

B. policies and procedures for the management of the therapeutic milieu, as appropriate, including the manner in which the various components of the therapeutic milieu are structured to promote and maintain the desired behavioral and cognitive changes in the client;

C. policies and procedures for the prevention of predation among clients and the promotion and maintenance of the security and safety of clients and staff, which must address the sexual safety of clients and staff, as well as:

- (1) the relationship between security and treatment functions and how staff are used in these functions;
- (2) communication between the various levels of staff in the program; and
- (3) program rules for behavior that include a range of consequences that may be imposed for violation of the rules and due process procedures;

D. admission and discharge criteria and procedures;

E. assessment content and procedures, including the rationale for the particular format and procedures as required by part 2955.0100, subpart 3;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

F. treatment planning and review of client progress in treatment;

G. policies and procedures for client communications and visiting with others both within and outside of the program;

H. policies and procedures for the use of special assessment and treatment methods according to part 2955.0160;

I. policies and procedures that address data privacy and confidentiality standards, including reports by a client of previously unreported or undetected criminal behavior and the use of results from psychophysiological procedures as described in part 2955.0160, subparts 2 to 4;

J. policies and procedures for reporting and investigating alleged unethical, illegal, or negligent acts against clients, and of serious violations of written policies and procedures; and

K. the program's quality assurance and program improvement plan and procedures as required in part 2955.0170.

**Subp. 2. Standards of practice for sex offender treatment programming.** This subpart contains the minimal standards of practice for treatment programming provided in a residential juvenile sex offender treatment program. Treatment programming must:

A. safeguard the well-being of victims and their families, the community, and clients and their families;

B. encourage clients to be personally accountable through participation, self-disclosure, and self-monitoring;

C. address the individual treatment needs of each client;

D. be consistent with and supportable by the professional literature and clinical practice in the field;

E. use effective methods to assist the client to achieve treatment goals and objectives;

F. include and integrate the client's family or legal guardian into the treatment process when appropriate and document inquiries regarding the degree to which the client's family or legal guardian desires to be involved in the client's treatment;

G. address, within the limits of available resources, the client's personality traits and deficits that are related to increased reoffense potential;

H. address any concurrent psychiatric disorders by providing treatment or referring the client for treatment; and

I. protect the legal and civil rights of clients, including the client's right to refuse treatment.

**Subp. 3. Goals of sex offender treatment.** The ultimate goal of residential juvenile sex offender treatment is to protect the community from criminal sexual behavior by reducing the client's risk of reoffense. To the extent that a conflict develops between community protection and client rights, community protection must be given the greater import.

The goals of sex offender treatment include, but are not limited to, the outcomes in items A to E. The basic treatment protocol of the program shall determine the specific goals that shall be operationalized by the program and the methods used to achieve them. The applicability of those goals and methods to a client shall be determined by that client's intake assessment, individual treatment plan, and progress in treatment. The program must be designed to allow, assist, and encourage the client to develop the motivation and ability to achieve the goals in items A to E, as appropriate.

A. The client must acknowledge the criminal sexual behavior and admit or develop an increased sense of personal culpability and responsibility for the behavior. The program must provide activities and procedures that are designed to assist clients:

(1) reduce their denial or minimization of their criminal sexual behavior and any blame placed on circumstantial factors;

(2) disclose their history of sexually abusive and criminal sexual behavior and pattern of sexual response;

(3) learn and understand the effects of sexual abuse upon victims and their families, the community, and the client and the client's family; and

(4) develop and implement options for restitution and reparation to their victims and the community, in a direct or indirect manner, as appropriate.

B. The client must choose to stop and act to prevent the circumstances that lead to sexually abusive and criminal sexual behavior and other abusive or aggressive behaviors from occurring. The program must provide activities and procedures that are designed to assist clients:

(1) identify and assess the function and role of thinking errors, cognitive distortions, and maladaptive attitudes and beliefs in the commission of sexual offenses and other abusive or aggressive behavior;

(2) learn and use appropriate strategies and techniques for changing thinking patterns and modifying attitudes and beliefs regarding sexually abusive and criminal sexual behavior and other abusive or aggressive behavior;

(3) identify the function and role of paraphilic and aggressive sexual responses and urges, recurrent sexual fantasies, and patterns of reinforcement in the commission of sexual offenses;

(4) learn and use appropriate strategies and techniques to:

(a) manage paraphilic and aggressive sexual responses, urges, fantasies, and interests; and

(b) maintain or enhance sexual response to appropriate partners and situations and develop and reinforce positive, prosocial sexual interests;

(5) identify the function and role of any chemical abuse or other antisocial behavior in the commission of sexual offenses and remediate those factors;

(6) demonstrate an awareness and empathetic understanding of the effects of their sexually abusive and criminal sexual behaviors on their victims;

(7) when appropriate, understand and address their own sense of victimization and its impact on their behavior;

(8) identify and address particular family issues or dysfunctions that precipitate or support the sexually offensive behavior;

(9) develop a positive sense of self-esteem and acceptance and demonstrate positive behaviors to meet psychological and social needs;

(10) develop a detailed reoffense prevention plan that:

(a) identifies the pattern or cycle of sexually abusive behavior that includes the background stressors and precipitating conditions and situations that indicate a risk to reoffend;

(b) outlines specific alternative, positive social behaviors that will remove or decrease that risk and how to interrupt the cycle before a sexual offense occurs by using self-control methods; and

(c) identifies a network of persons who support the client in achieving the desired cognitive and behavioral change which includes the client's family or legal guardian, as appropriate;

(11) practice the positive social behaviors developed in the reoffense prevention plan; and

(12) build the network of persons identified in subitem (10), unit (c), who will support the implementation of the reoffense prevention plan and share the plan with those persons.

C. The client must develop a positive, prosocial approach to the client's sexuality, sexual development, and sexual functioning, including realistic sexual expectations and establishment of appropriate sexual relationships. The program must provide activities and procedures that are designed to assist clients:

(1) learn and demonstrate an understanding of human sexuality that includes anatomy, sexual development, the motivations for sexual behavior, the nature of sexual dysfunctions, and how the healthy expression of sexual desire and behavior contrasts with the abusive expression of sexual desire and behavior;

(2) learn and demonstrate an understanding of intimate and love relationships and how to develop and maintain them; and

(3) explore and develop a positive sexual identity.

D. The client must develop positive communication and relationship skills. The program must provide activities and procedures that are designed to assist clients:

(1) develop emotional awareness and demonstrate the appropriate expression of feelings;

(2) develop and demonstrate appropriate levels of trust in relating to peers and adults; and

(3) develop and demonstrate appropriate communication, anger management, and stress management skills.

E. The client must reenter and reintegrate into the community. The program must provide activities and procedures that are designed to assist clients:

(1) prepare a plan for aftercare that includes arrangements for continuing treatment or counseling, support groups, and socialization, cultural, religious, and recreational activities, as appropriate to the client's needs and consistent with available resources; and

(2) prepare a plan designed to enable the client to successfully prepare for and make the transition into the community.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

### **2955.0150 STANDARDS FOR DELIVERY OF SEX OFFENDER TREATMENT SERVICES.**

**Subpart 1. Amount of treatment.** Each client must receive the amount of treatment and frequency of treatment specified in the client's individual treatment plan. At least an average of 12 hours per week of sex offender treatment must be provided to each client in the primary phases of treatment. A variable amount of sex offender treatment, but no less than an average of two hours per week, may be provided to each client in the transitional and reentry phases of treatment.

**Subp. 2. Type of services.** Each client must receive the types of services specified in the client's individual treatment plan.

**Subp. 3. Case management services.** The program must provide each client with case management services. These services must be documented in client files.

**Subp. 4. Quality of services.** Services provided to the client must meet or exceed the quality standards for the type of service provided. Quality standards may be established by an accreditation standard or be based on the current norms for quality of a service in Minnesota.

**Subp. 5. Size of group therapy and psychoeducation groups.** Group therapy sessions must not exceed ten clients per group. Psychoeducation groups must not exceed a sex offender treatment staff-to-client ratio of one-to-16.

**Subp. 6. Duty to monitor services provided by providers under contract to certificate holder.** The certificate holder must monitor the amount, type, quality, and effectiveness of any service provided to a client by a provider under contract to a certificate holder to provide services to a client. If the certificate holder has reason to believe the services provided to a client by a provider under contract to a certificate holder are not provided according to the client's individual treatment plan, are not effective, or are not in compliance with this chapter, the certificate holder must inform the contractor and take action to correct the situation. If no satisfactory resolution can be achieved, the certificate holder must contract with an alternate provider as soon as possible.

**Subp. 7. Length of treatment.** The length of time a client is in residential sex offender treatment shall depend upon the program's basic treatment protocol, the client's treatment needs as identified in the client's individual treatment plan, and the client's progress in achieving treatment goals. The minimum length of treatment is four months. At least two months of treatment must be provided in the residential setting of the program, after which treatment may be provided in a nonresidential setting operated by or arranged for by the program, as appropriate to the client.

### **2955.0160 STANDARDS FOR USE OF SPECIAL ASSESSMENT AND TREATMENT PROCEDURES.**

**Subpart 1. Policy.** A program that uses special assessment and treatment procedures must develop and follow a policy that describes the:

- A. specific procedures to be included in the policy;
- B. purpose and rationale for the use of each procedure;
- C. qualifications of staff who implement the procedure;
- D. conditions and safeguards under which the procedure is used for a particular client;
- E. process by which the procedure is approved for use with a client;
- F. determination of which procedures will be voluntary and require informed consent from the client or the client's legal guardian, as appropriate;
- G. process to obtain and document informed consent; and
- H. process by which the use of the procedure is documented and evaluated for effectiveness.

**Subp. 2. Specific standards for the psychophysiological assessment of deception.** In addition to the requirements in subpart 1, the standards in items A and B apply if a psychophysiological assessment of deception is used.

A. The procedure must be administered in a controlled setting using questions developed in conjunction with the sex offender treatment staff and the client, and in accordance with the current standards and principles of practice published by the American Polygraph Association (Chattanooga, Tennessee, August, 1998), and the current ethical standards and principles for the use of physiological measurements and polygraph examinations of the Association for the Treatment of Sexual Abusers (Beaverton, Oregon, August, 1998). Both of the referenced standards and principles are incorporated by reference and are available through the Minitex interlibrary loan system. Both of the referenced standards and principles are subject to frequent change.

B. The procedure must be administered by a qualified examiner as described in part 2955.0090, subpart 6.

**Subp. 3. Specific standards for the psychophysiological assessment of sexual response.** In addition to the requirements under subpart 1, the standards in items A and B apply if the psychophysiological assessment of sexual response is used.

A. The procedure must be administered in a controlled setting and in accordance with the current ethical standards and principles for the use of physiological measurements and plethysmograph examinations of the Association for the Treatment of Sexual Abusers (Beaverton, Oregon, August, 1998), that are incorporated by reference and are available through the Minitex interlibrary loan system. The standards and principles are subject to frequent change.

B. The procedure must be administered by a qualified examiner as defined in part 2955.0090, subpart 7.

C. Materials used as stimuli in the procedure must be stored securely.

Subp. 4. **Additional standard for results and interpretation of data.** The results obtained through the use of psychophysiological procedures in sex offender treatment must be used for assessment, treatment planning, treatment monitoring, or risk assessment. The results must be interpreted within the context of a comprehensive assessment and treatment process and may not be used as the only or the major source of clinical decision making and risk assessment.

Subp. 5. **Contract for technology.** A program that does not own or operate the particular technology required to conduct psychophysiological assessments of deception or sexual response must contract with a qualified consultant or program that has the appropriate technology and meets the standards for use of the procedure in this part.

#### **2955.0170 STANDARDS FOR QUALITY ASSURANCE AND PROGRAM IMPROVEMENT.**

Each program must maintain and follow a quality assurance and program improvement plan and procedures to monitor, evaluate, and improve all components of the program. The review plan must be written and consider the:

A. goals and objectives of the program and the outcomes achieved;

B. quality of service delivered to clients in terms of the goals and objectives of their individual treatment plans and the outcomes achieved;

C. quality of staff performance and administrative support and their contribution to the outcomes achieved in items A and B;

D. quality of the therapeutic milieu, as appropriate, and its contribution to the outcomes achieved in items A and B;

E. quality of the client's clinical records;

F. use of resources in terms of efficiency and cost-effectiveness;

G. feedback from referral sources, as appropriate, regarding their level of satisfaction with the program and suggestions for program improvement; and

H. effectiveness of the monitoring and evaluation process.

The review plan must specify the manner in which the requisite information is objectively measured, collected, and analyzed. The review plan must specify how often the program gathers the information and document the actions taken in response to the information.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

### Board of Teaching

#### Proposed Permanent Rules Relating to Teacher Licensing

**DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing If 25 or More Requests for Hearing Are Received**

**Proposed Rules Governing Teacher Licensing, *Minnesota Rules*, Part 8710 (8710.0100 - 8710.6400, including Amendments to Parts 8700.0100, 8700.0300, 8700.0500, and 8700.7800).**

**Introduction.** The Minnesota Board of Teaching intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by 4:30 p.m. on December 2, 1998, a public hearing will be held in the Auditorium, Capitol View Conference Center, 70 West County Highway B-2, Little Canada, Minnesota 55117, starting at 9:00 A.M. on Thursday, December 17, 1998. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after December 2, 1998 and before December 17, 1998.

**Contact Person.** Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Sandra Needham at the Minnesota Board of Teaching, 608 Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101, phone (651) 296-6127, and FAX (651) 282-2403. TTY users may call the Department of Children, Families, and Learning at (651) 297-2094.

**Subject of Rules and Statutory Authority.** The proposed rules are about teacher licensing. The statutory authority to adopt the rules is *Minnesota Statutes*, section 122A (recently recodified from sections 125.05 and 125.185). A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

**Comments.** You have until 4:30 p.m. on Wednesday, December 2, 1998, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on December 2, 1998. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

**Withdrawal of Requests.** If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**Alternative Format/Accommodation.** Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

**Modifications.** The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing.** The hearing scheduled for December 17, 1998, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651) 296-6127 after December 2, 1998, to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Jon L. Lunde is assigned to conduct the hearing. Judge Lunde can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone (612) 349-7645, and FAX (612) 349-2665.

**Hearing Procedure.** If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day response period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment or response period also submit a copy of the written views or data to the agency contact person at the address stated above.

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from either the agency or the Office of Administrative Hearings.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 296-5148 or 1-800-657-3889.

**Adoption Procedure if No Hearing.** If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

**Adoption Procedure After a Hearing.** If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and files them with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

**Order.** I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: 15 October 1998

Michael L. Tillmann  
Acting Executive Director  
Minnesota Board of Teaching

### **8700.0100 HOW THIS CHAPTER APPLIES SCOPE.**

This chapter governs the procedures for licensure and the educational requirements for nonvocational instructional and support personnel who are required to be licensed by the Board of Teaching. A person required to hold a license shall meet the requirements in this chapter for each licensure field in which the person practices.

### **8700.0300 SUBSTITUTE TEACHERS.**

Subpart 1. **Long call substitute teacher.** A long call substitute teacher is one who ~~teaches~~ replaces the same teacher for 15 or more consecutive days ~~in a single classroom or teaching assignment.~~ A long call substitute teacher shall hold an entrance or continuing license to teach for each licensure area taught.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

Subp. 2. **Short call substitute teacher.** A short call substitute ~~license to teach permits teaching~~ teacher is one who teaches on a day-to-day basis not to exceed 15 consecutive days ~~in a single classroom or teaching assignment replacing the same teacher.~~ ~~It~~ A short call substitute teacher shall hold a Minnesota license or short call substitute license. These licenses are valid for functioning as a short call substitute teacher at all grade levels in all fields.

A short call substitute teacher license expires five years from the July 1 nearest the date the license is issued and must be issued to a ~~previously licensed~~ an applicant ~~in the field in which who has held~~ a Minnesota ~~continuing licensure was held~~ license and has completed a teacher preparation program.

### 8700.0500 ISSUANCE, RENEWAL, AND VALIDITY OF ALL LICENSES.

Subpart 1. **In general.** ~~All licenses~~ A license to teach shall be issued or renewed according to *Minnesota Statutes*, section 125.05, and criteria established in rules of the Board of Teaching and shall be valid for the period of time specified in ~~rules of the Board of Teaching~~ this subpart:

- A. a limited license expires one year from the July 1 nearest the date the license is issued;
- B. an entrance license expires two years from the July 1 nearest the date the license is issued;
- C. a continuing license expires five years from the July 1 nearest the date the license is issued; and

D. a provisional license expires either one or two years, depending on the period of time specified in the specific rule, from the July 1 nearest the date the license is issued.

~~All licenses~~ A license to teach shall bear the date of issue ~~and~~, the date of expiration, and may be renewed on or before July 1 in the year of expiration.

After July 1 in the year of expiration, ~~all licenses~~ a license to teach not renewed shall be ~~deemed~~ expired and no longer valid for teaching.

Subp. 2. **Corrections.** A license issued in error by the Department of Children, Families, and Learning shall be corrected without charge to the licensee and the corrections shall be made without a hearing under part 8700.2500 and *Minnesota Statutes*, chapter 14. If a processing error results in issuing a license to an individual who does not meet requirements for the license, the license is not valid for practice.

Subp. 3. **Multiple expiration dates.** If the licensee has completed and verified the continuing license renewal requirements, a licensee may renew a year early for the purpose of correlating the expiration dates of continuing licenses held.

### 8700.7800 ~~TEACHERS APPLICANTS PREPARED IN STATES OTHER THAN~~ OUTSIDE MINNESOTA.

Subpart 1. **In general.** ~~Licenses~~ A license to teach in Minnesota shall be granted to ~~persons~~ a person who otherwise ~~meet~~ meets applicable statutory requirements and who ~~complete~~ completes programs leading to ~~teacher~~ licensure in a teacher preparation ~~insti-tutions~~ institution located outside Minnesota. ~~Such licenses~~ A license shall be granted only in licensure fields for which the Board of Teaching has established rules governing programs leading to ~~teacher~~ licensure. ~~Such licenses~~ A license shall be issued according to either subpart 2 or 3.

Subp. 2. **Applicants prepared in states with contracts with Minnesota.** ~~Persons~~ A person who ~~complete~~ completes approved programs leading to ~~teacher~~ licensure in teacher preparation institutions within states which have signed contracts with Minnesota according to the ~~provisions of the~~ interstate agreement on qualification of educational personnel shall be granted a Minnesota entrance license. No ~~licenses~~ license shall be issued on the basis of teaching experience only.

Subp. 3. **Applicants prepared in states without contracts with Minnesota.** ~~Persons~~ A person who ~~complete~~ completes programs leading to ~~teacher~~ licensure in teacher preparation institutions within states which have not signed contracts with Minnesota according to ~~the provisions of~~ the interstate agreement on qualification of educational personnel shall be granted a Minnesota entrance license when ~~all of~~ the following criteria are met:

A. the teacher preparation institution is ~~regionally~~ accredited by the regional association for the accreditation of colleges and secondary schools;

B. the program leading to ~~teacher~~ licensure has been recognized by the other state as qualifying the applicant completing the program for current licensure within that state;

C. the program leading to ~~teacher~~ licensure completed by the applicant is essentially equivalent in content to approved programs offered by Minnesota teacher preparation institutions according to Board of Teaching rules governing the licensure field;

D. the teacher preparation institution which offers the program leading to licensure verifies that the applicant has completed an approved ~~teacher~~ licensure program at that institution and recommends the applicant for a license in ~~a~~ the licensure field ~~and~~ at ~~a~~ the licensure level;

E. the applicant has completed a ~~major or minor~~ program leading to ~~teacher~~ licensure as verified by the transcript issued by the institution recommending the applicant for licensure; and

F. the applicant has completed instruction in methods of teaching and student teaching in the licensure field and at the licensure level of the program. The student teaching requirement applies only to a person completing a program to be recommended for entrance licensure.

**Subp. 3a. Applicants prepared outside United States.** A person who completes a licensure program from a college or university outside the United States shall be granted a Minnesota entrance license when the following criteria are met:

A. the application packet includes a credential evaluation completed by a credential evaluator approved by the executive director of the Board of Teaching;

B. the licensure program completed by the applicant is essentially equivalent in content to approved programs offered by Minnesota teacher preparation institutions according to Board of Teaching rules governing the licensure field; and

C. an applicant for teacher licensure has completed instruction in methods of teaching and student teaching in the licensure field and at the licensure level of the program. The student teaching requirement applies only to persons completing a program to be recommended for entrance licensure.

Subp. 4. **Exception.** ~~Notwithstanding the rule governing human relations, Persons~~ A person who have been prepared as teachers in states other than has completed a teacher licensure program outside Minnesota but has not completed the requirements of part 8700.0210 or 8700.2700, or both, shall be granted a Minnesota one-year nonrenewable provisional license based upon the provisions of this part. Upon meeting ~~the provisions of this part~~ parts 8700.0210 and 8700.2700, an entrance license shall be granted.

### **8710.2000 STANDARDS OF EFFECTIVE PRACTICE FOR TEACHERS.**

**Subpart 1. Standards.** A candidate for teacher licensure shall show verification of completing the standards in subparts 2 to 11 in a teacher preparation program approved under part 8700.7600.

**Subp. 2. Standard 1, subject matter.** A teacher must understand the central concepts, tools of inquiry, and structures of the disciplines taught and be able to create learning experiences that make these aspects of subject matter meaningful for students. The teacher must:

A. understand major concepts, assumptions, debates, processes of inquiry, and ways of knowing that are central to the disciplines taught;

B. understand how students' conceptual frameworks and misconceptions for an area of knowledge can influence the students' learning;

C. connect disciplinary knowledge to other subject areas and to everyday life;

D. understand that subject matter knowledge is not a fixed body of facts but is complex and ever developing;

E. use multiple representations and explanations of subject matter concepts to capture key ideas and link them to students' prior understandings;

F. use varied viewpoints, theories, ways of knowing, and methods of inquiry in teaching subject matter concepts;

G. evaluate teaching resources and curriculum materials for comprehensiveness, accuracy, and usefulness for presenting particular ideas and concepts;

H. engage students in generating knowledge and testing hypotheses according to the methods of inquiry and standards of evidence used in the discipline;

I. develop and use curricula that encourage students to understand, analyze, interpret, and apply ideas from varied perspectives; and

J. design interdisciplinary learning experiences that allow students to integrate knowledge, skills, and methods of inquiry across several subject areas.

**Subp. 3. Standard 2, student learning.** A teacher must understand how students learn and develop and must provide learning opportunities that support a student's intellectual, social, and personal development. The teacher must:

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

---

A. understand how students internalize knowledge, acquire skills, and develop thinking behaviors, and know how to use instructional strategies that promote student learning;

B. understand that a student's physical, social, emotional, moral, and cognitive development influence learning and know how to address these factors when making instructional decisions;

C. understand developmental progressions of learners and ranges of individual variation within the physical, social, emotional, moral, and cognitive domains, be able to identify levels of readiness in learning, and understand how development in any one domain may affect performance in others;

D. use a student's strengths as a basis for growth, and a student's errors as opportunities for learning;

E. assess both individual and group performance and design developmentally appropriate instruction that meets the student's current needs in the cognitive, social, emotional, moral, and physical domains;

F. link new ideas to familiar ideas; make connections to a student's experiences; provide opportunities for active engagement, manipulation, and testing of ideas and materials; and encourage students to assume responsibility for shaping their learning tasks; and

G. use a student's thinking and experiences as a resource in planning instructional activities by encouraging discussion, listening and responding to group interaction, and eliciting oral, written, and other samples of student thinking.

**Subp. 4. Standard 3, diverse learners.** A teacher must understand how students differ in their approaches to learning and create instructional opportunities that are adapted to students with diverse backgrounds and exceptionalities. The teacher must:

A. understand and identify differences in approaches to learning and performance, including varied learning styles and performance modes and multiple intelligences; and know how to design instruction that uses a student's strengths as the basis for continued learning;

B. know about areas of exceptionality in learning, including learning disabilities, perceptual difficulties, and special physical or mental challenges, gifts, and talents;

C. know about the process of second language acquisition and about strategies to support the learning of students whose first language is not English;

D. understand how to recognize and deal with dehumanizing biases, discrimination, prejudices, and institutional and personal racism and sexism;

E. understand how a student's learning is influenced by individual experiences, talents, and prior learning, as well as language, culture, family, and community values;

F. understand the contributions and lifestyles of the various racial, cultural, and economic groups in our society;

G. understand the cultural content, world view, and concepts that comprise Minnesota-based American Indian tribal government, history, language, and culture;

H. understand cultural and community diversity; and know how to learn about and incorporate a student's experiences, cultures, and community resources into instruction;

I. understand that all students can and should learn at the highest possible levels and persist in helping all students achieve success;

J. know about community and cultural norms;

K. identify and design instruction appropriate to a student's stages of development, learning styles, strengths, and needs;

L. use teaching approaches that are sensitive to the varied experiences of students and that address different learning and performance modes;

M. accommodate a student's learning differences or needs regarding time and circumstances for work, tasks assigned, communication, and response modes;

N. identify when and how to access appropriate services or resources to meet exceptional learning needs;

O. use information about students' families, cultures, and communities as the basis for connecting instruction to students' experiences;

P. bring multiple perspectives to the discussion of subject matter, including attention to a student's personal, family, and community experiences and cultural norms; and

Q. develop a learning community in which individual differences are respected.

**Subp. 5. Standard 4, instructional strategies.** A teacher must understand and use a variety of instructional strategies to encourage student development of critical thinking, problem solving, and performance skills. The teacher must:

- A. understand Minnesota's graduation standards and how to implement them;
- B. understand the cognitive processes associated with various kinds of learning and how these processes can be stimulated;
- C. understand principles and techniques, along with advantages and limitations, associated with various instructional strategies;
- D. enhance learning through the use of a wide variety of materials and human and technological resources;
- E. nurture the development of student critical thinking, independent problem solving, and performance capabilities;
- F. demonstrate flexibility and reciprocity in the teaching process as necessary for adapting instruction to student responses, ideas, and needs;
- G. design teaching strategies and materials to achieve different instructional purposes and to meet student needs including developmental stages, prior knowledge, learning styles, and interests;
- H. use multiple teaching and learning strategies to engage students in active learning opportunities that promote the development of critical thinking, problem solving, and performance capabilities and that help students assume responsibility for identifying and using learning resources;
- I. monitor and adjust strategies in response to learner feedback;
- J. vary the instructional process to address the content and purposes of instruction and the needs of students;
- K. develop a variety of clear, accurate presentations and representations of concepts, using alternative explanations to assist students' understanding and present varied perspectives to encourage critical thinking; and
- L. use educational technology to broaden student knowledge about technology, to deliver instruction to students at different levels and paces, and to stimulate advanced levels of learning.

**Subp. 6. Standard 5, learning environment.** A teacher must be able to use an understanding of individual and group motivation and behavior to create learning environments that encourage positive social interaction, active engagement in learning, and self-motivation. The teacher must:

- A. understand human motivation and behavior and draw from the foundational sciences of psychology, anthropology, and sociology to develop strategies for organizing and supporting individual and group work;
- B. understand how social groups function and influence people, and how people influence groups;
- C. know how to create learning environments that contribute to the self-esteem of all persons and to positive interpersonal relations;
- D. know how to help people work productively and cooperatively with each other in complex social settings;
- E. understand the principles of effective classroom management and use a range of strategies to promote positive relationships, cooperation, and purposeful learning in the classroom;
- F. know factors and situations that are likely to promote or diminish intrinsic motivation and how to help students become self-motivated;
- G. understand how participation supports commitment;
- H. establish a positive climate in the classroom and participate in maintaining a positive climate in the school as a whole;
- I. establish peer relationships to promote learning;
- J. recognize the relationship of intrinsic motivation to student lifelong growth and learning;
- K. use different motivational strategies that are likely to encourage continuous development of individual learner abilities;
- L. design and manage learning communities in which students assume responsibility for themselves and one another, participate in decision making, work both collaboratively and independently, and engage in purposeful learning activities;

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

M. engage students in individual and group learning activities that help them develop the motivation to achieve, by relating lessons to students' personal interests, allowing students to have choices in their learning, and leading students to ask questions and pursue problems that are meaningful to them and the learning;

N. organize, allocate, and manage the resources of time, space, activities, and attention to provide active engagement of all students in productive tasks;

O. maximize the amount of class time spent in learning by creating expectations and processes for communication and behavior along with a physical setting conducive to classroom goals;

P. develop expectations for student interactions, academic discussions, and individual and group responsibility that create a positive classroom climate of openness, mutual respect, support, inquiry, and learning;

Q. analyze the classroom environment and make decisions and adjustments to enhance social relationships, student motivation and engagement, and productive work; and

R. organize, prepare students for, and monitor independent and group work that allows for full, varied, and effective participation of all individuals.

**Subp. 7. Standard 6, communication.** A teacher must be able to use knowledge of effective verbal, nonverbal, and media communication techniques to foster active inquiry, collaboration, and supportive interaction in the classroom. The teacher must:

A. understand communication theory, language development, and the role of language in learning;

B. understand how cultural and gender differences can affect communication in the classroom;

C. understand the importance of nonverbal as well as verbal communication;

D. know effective verbal, nonverbal, and media communication techniques;

E. understand the power of language for fostering self-expression, identity development, and learning;

F. use effective listening techniques;

G. foster sensitive communication by and among all students in the class;

H. use effective communication strategies in conveying ideas and information and in asking questions;

I. support and expand learner expression in speaking, writing, and other media;

J. know how to ask questions and stimulate discussion in different ways for particular purposes, including probing for learner understanding, helping students articulate their ideas and thinking processes, promoting productive risk-taking and problem-solving, facilitating factual recall, encouraging convergent and divergent thinking, stimulating curiosity, and helping students to question; and

K. use a variety of media communication tools, including audiovisual aids and computers, including educational technology, to enrich learning opportunities.

**Subp. 8. Standard 7, planning instruction.** A teacher must be able to plan and manage instruction based upon knowledge of subject matter, students, the community, and curriculum goals. The teacher must:

A. understand learning theory, subject matter, curriculum development, and student development and know how to use this knowledge in planning instruction to meet curriculum goals;

B. plan instruction using contextual considerations that bridge curriculum and student experiences;

C. plan instructional programs that accommodate individual student learning styles and performance modes;

D. create short-range and long-range plans that are linked to student needs and performance;

E. plan instructional programs that accommodate individual student learning styles and performance modes;

F. design lessons and activities that operate at multiple levels to meet the developmental and individual needs of students and to help all progress;

G. implement learning experiences that are appropriate for curriculum goals, relevant to learners, and based on principles of effective instruction including activating student prior knowledge, anticipating preconceptions, encouraging exploration and problem solving, and building new skills on those previously acquired; and

H. evaluate plans in relation to short-range and long-range goals, and systematically adjust plans to meet student needs and enhance learning.

**Subp. 9. Standard 8, assessment.** A teacher must understand and be able to use formal and informal assessment strategies to evaluate and ensure the continuous intellectual, social, and physical development of the student. The teacher must:

- A. be able to assess student performance toward achievement of the Minnesota graduation standards under chapter 3501;
- B. understand the characteristics, uses, advantages, and limitations of different types of assessments including criterion-referenced and norm-referenced instruments, traditional standardized and performance-based tests, observation systems, and assessments of student work;
- C. understand the purpose of and differences between assessment and evaluation;
- D. understand measurement theory and assessment-related issues, including validity, reliability, bias, and scoring concerns;
- E. select, construct, and use assessment strategies, instruments, and technology appropriate to the learning outcomes being evaluated and to other diagnostic purposes;
- F. use assessment to identify student strengths and promote student growth and to maximize student access to learning opportunities;
- G. use varied and appropriate formal and informal assessment techniques including observation, portfolios of student work, teacher-made tests, performance tasks, projects, student self-assessments, peer assessment, and standardized tests;
- H. use assessment data and other information about student experiences, learning behaviors, needs, and progress to increase knowledge of students, evaluate student progress and performance, and modify teaching and learning strategies;
- I. implement students' self-assessment activities to help them identify their own strengths and needs and to encourage them to set personal goals for learning;
- J. evaluate the effect of class activities on both individuals and the class as a whole using information gained through observation of classroom interactions, questioning, and analysis of student work;
- K. monitor teaching strategies and behaviors in relation to student success to modify plans and instructional approaches to achieve student goals;
- L. establish and maintain student records of work and performance; and
- M. responsibly communicate student progress based on appropriate indicators to students, parents or guardians, and other colleagues.

**Subp. 10. Standard 9, reflection and professional development.** A teacher must be a reflective practitioner who continually evaluates the effects of choices and actions on others, including students, parents, and other professionals in the learning community, and who actively seeks out opportunities for professional growth. The teacher must:

- A. understand the historical and philosophical foundations of education;
- B. understand methods of inquiry, self-assessment, and problem-solving strategies for use in professional self-assessment;
- C. understand the influences of the teacher's behavior on student growth and learning;
- D. know major areas of research on teaching and of resources available for professional development;
- E. understand the role of reflection and self-assessment on continual learning;
- F. understand the value of critical thinking and self-directed learning;
- G. understand professional responsibility and the need to engage in and support appropriate professional practices for self and colleagues;
- H. use classroom observation, information about students, and research as sources for evaluating the outcomes of teaching and learning and as a basis for reflecting on and revising practice;
- I. use professional literature, colleagues, and other resources to support development as both a student and a teacher;
- J. collaboratively use professional colleagues within the school and other professional arenas as supports for reflection, problem-solving, and new ideas, actively sharing experiences, and seeking and giving feedback;
- K. understand standards of professional conduct in the Code of Ethics for Minnesota Teachers in part 8700.7500; and

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

L. understand the responsibility for obtaining and maintaining licensure, the role of the teacher as a public employee, and the purpose and contributions of educational organizations.

**Subp. 11. Standard 10, collaboration, ethics, and relationships.** A teacher must be able to communicate and interact with parents or guardians, families, school colleagues, and the community to support student learning and well-being. The teacher must:

A. understand schools as organizations within the larger community context and understand the operations of the relevant aspects of the systems within which the teacher works;

B. understand how factors in a student's environment outside of school, including family circumstances, community environment, health and economic conditions, may influence student life and learning;

C. understand student rights and teacher responsibilities to equal education, appropriate education for students with disabilities, confidentiality, privacy, appropriate treatment of students, and reporting in situations of known or suspected abuse or neglect;

D. understand the concept of addressing the needs of the whole learner;

E. understand the influence of use and misuse of tobacco, alcohol, drugs, and other chemicals on student life and learning;

F. understand data practices;

G. collaborate with other professionals to improve the overall learning environment for students;

H. collaborate in activities designed to make the entire school a productive learning environment;

I. consult with parents, counselors, teachers of other classes and activities within the school, and professionals in other community agencies to link student environments;

J. identify and use community resources to foster student learning;

K. establish productive relationships with parents and guardians in support of student learning and well-being; and

L. understand mandatory reporting laws and rules.

### **8710.3000 TEACHERS OF EARLY CHILDHOOD EDUCATION.**

**Subpart 1. Scope of practice.** A teacher of early childhood education is authorized to design, implement, and evaluate developmentally appropriate learning experiences for young children from birth through age eight in a variety of early childhood settings and to collaborate with families, colleagues, and related service personnel to enhance the learning of all young children.

**Subp. 2. Licensure requirements.** A candidate for licensure in early childhood education for teaching young children from birth through age eight shall:

A. hold a baccalaureate degree from a college or university that is accredited by the regional association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and

C. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of early childhood education in subpart 3.

**Subp. 3. Subject matter standard.** A candidate for licensure as a teacher of early childhood education must complete a preparation program under subpart 2, item C, that must include the demonstration of the knowledge and skills in items A to H.

A. A teacher of infant or toddler-aged, preprimary-aged, and primary-aged children must understand child development and learning, including:

(1) the research base for and the best practices of early childhood education;

(2) the physical, social, emotional, language, cognitive, and creative development of young children from birth through age eight;

(3) how young children differ in their development and approaches to learning to support the development and learning of individual children;

(4) the major theories of early childhood development and learning and their implications for practice with young children and families from birth through age eight;

(5) the concepts of "belonging" and "family connectedness" as crucial to the development of young children;

(6) that children are best understood in the contexts of family, culture, and society; and

(7) the interrelationships among culture, language, and thought and the function of the home language in the development of young children.

B. A teacher of infants and toddlers plans, designs, and implements developmentally appropriate learning experiences. The teacher must understand:

(1) the unique developmental milestones associated with young infants 0 to 9 months, mobile infants 8 to 18 months, and toddlers 16 to 36 months;

(2) the need to build and maintain a primary care relationship with each infant and toddler;

(3) how to build and maintain positive care giving relationships with infants and toddlers in groups;

(4) how to use observation skills to determine infants' and toddlers' needs, interests, preferences, and particular ways of responding to people and things;

(5) strategies for developing an appropriate learning environment that:

(a) meet the physical needs of infants and toddlers through small and large group muscle play, feeding, diapering and toileting, and rest, including:

i. health and safety procedures and universal precautions to limit the spread of infectious diseases;

ii. symptoms of common illness and environmental hazards;

iii. how to evaluate infant and toddler environments to ensure the physical and emotional safety of children in care; and

iv. how to use environmental factors and conditions to promote the health, safety, and physical development of infants and toddlers;

(b) use scheduling and daily routines to meet infants' and toddlers' needs for balance in predictable active and quiet activities, social and solitary experiences, reliable transitions, and rest;

(c) use educational materials for infants and toddlers that balance needs for growing independence and active exploration with the need for safety and health;

(d) create learning experiences that incorporate the infants' and toddlers' cultural and home experiences; and

(e) use guidance and management techniques to accommodate the developmental characteristics of infants and toddlers and to support their need for a sense of security and self-esteem;

(6) strategies for assessing an infant's or toddler's emerging level of cognitive development and how to use this information to establish individual cognitive development goals and design developmentally appropriate learning experiences that:

(a) facilitate the acquisition of skills to acquire, organize, and use information in increasingly complex ways;

(b) create experiences that enable infants and toddlers to use play as an organizer between the acquisition and use of information;

(c) encourage curiosity and exploration;

(d) support development of language and communication skills;

(e) provide opportunities for infants and toddlers to use self-initiated repetition to practice newly acquired skills and to experience feelings of autonomy and success;

(f) enhance infants' and toddlers' emerging knowledge of cause and effect and spatial relations;

(g) encourage self-expression through developmentally appropriate music, movement, dramatic, and creative art experiences; and

(h) provide a foundation for literacy and numeracy development through daily exposure to books, stories, language experiences, and activities that involve object relationships;

(7) strategies for assessing an infant's or toddler's emerging level of social and emotional development and how to use this information to establish individual social and emotional development goals and design developmentally appropriate learning experiences that:

(a) establish environments in which responsive and predictable interaction sequences occur;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

(b) structure the classroom to promote positive, constructive interactions between and among children;

(c) promote healthy peer relationships;

(d) adapt a pattern of care to meet infants' and toddlers' rapidly changing needs;

(e) emphasize caregiving routines that allow for interaction and visual and tactile learning;

(f) facilitate the development of infants' and toddlers' self-esteem; and

(g) provide continuity and consistency of affectionate care for infants and toddlers;

(8) strategies for assessing an infant's or toddler's emerging level of physical development and how to use this information to establish individual physical development goals and design developmentally appropriate learning experiences that:

(a) foster a positive attitude toward activity;

(b) enhance infants' and toddlers' perceptual skills, balance and coordination, and flexibility, strength, and endurance; and

(c) create environments that provide opportunities for active physical exploration and the development of emerging fine and gross motor skills;

(9) strategies for assessing an infant's or toddler's emerging level of creative development and how to use this information to establish individual creative development goals and design developmentally appropriate learning experiences that:

(a) enhance infants' and toddlers' abilities to create their own ideas and solve problems through art, music, movement, dramatic play, and other creative activities;

(b) develop experiences that encourage initiative, creativity, autonomy, and self-esteem, integrating adult support, comfort, and affection to facilitate these aspects of development; and

(c) create an environment where infants and toddlers are able to explore and expand their creative abilities.

C. A teacher of young children in preprimary classrooms plans, designs, and implements developmentally appropriate learning experiences. The teacher must understand:

(1) the cognitive, social and emotional, physical, and creative development of preprimary-aged children and how children's development and learning are integrated;

(2) the development of infants and toddlers and its effects on the learning and development of preprimary-aged children;

(3) how to establish and maintain physically and psychologically safe and healthy learning environments for preprimary-aged children that:

(a) acknowledge the influence of the physical setting, schedule, routines, and transitions on children and use these experiences to promote children's development and learning;

(b) acknowledge the developmental consequences of stress and trauma, protective factors and resilience, and the development of mental health, and the importance of supportive relationships;

(c) acknowledge basic health, nutrition, and safety management practices for young children, including procedures regarding childhood illness and communicable disease;

(d) use appropriate health appraisal procedures and how to recommend referrals to appropriate community health and social services when necessary; and

(e) recognize signs of emotional distress, child abuse, and neglect in young children and know responsibility and procedures for reporting known or suspected abuse or neglect to appropriate authorities;

(4) how to plan and implement appropriate curriculum and instructional practices based on developmental knowledge of individual preprimary-aged children, the community, and the curriculum goals and content, including how to use:

(a) developmentally appropriate methods that include play, small group projects, open-ended questioning, group discussion, problem solving, cooperative learning, and inquiry experiences to help children develop curiosity, solve problems, and make decisions; and

(b) knowledge of the sequence of development to create and implement meaningful, integrated learning experiences using children's ideas, needs, interests, culture, and home experiences;

(5) strategies for assessing a preprimary-aged child's emerging level of cognitive development and how to use this information to establish individual cognitive development goals and design developmentally appropriate learning experiences that:

(a) facilitate the acquisition of skills to acquire, organize, and use information in increasingly complex ways;

(b) create experiences that enable preprimary-aged children to use play as an organizer between the acquisition and use of information;

(c) extend children's thinking and learning and move them to higher levels of functioning;

(d) assist children to plan, evaluate, reflect on, revisit, and build on their own experiences;

(e) allow children to construct understanding or relationships among objects, people, and events;

(f) encourage the use and construction of numeracy skills;

(g) encourage the development of language and communication skills;

(h) encourage the use and construction of literacy skills; and

(i) allow children to construct knowledge of the physical world, manipulate objects for desired effects, and understand cause-and-effect relationships;

(6) strategies for assessing a preprimary-aged child's emerging level of social and emotional development and how to use this information to establish individual social and emotional development goals and design developmentally appropriate learning experiences that:

(a) establish environments in which responsive and predictable interaction sequences occur;

(b) structure the classroom to promote positive and constructive interactions among children;

(c) promote healthy peer relationships;

(d) build in each child a sense of belonging, security, personal worth, and self-confidence toward learning;

(e) allow for the construction of social knowledge, such as cooperating, helping, negotiating, and talking with others to solve problems;

(f) facilitate the development of self-acceptance, self-control, and social responsiveness in children through the use of positive guidance techniques; and

(g) promote children's understanding, acceptance, and appreciation of human differences due to social, cultural, physical, or developmental factors;

(7) strategies for assessing a preprimary-aged child's emerging level of physical development and how to use this information to establish individual physical development goals and design developmentally appropriate learning experiences that:

(a) foster a positive attitude toward physical activity;

(b) enhance preprimary-aged children's perceptual skills; balance and coordination; and flexibility, strength, and endurance;

(c) support age-appropriate risk-taking within safe boundaries;

(d) assist children in becoming competent in acquiring basic gross and fine motor skills;

(e) facilitate children's understanding of maintaining a desirable level of nutrition, health, fitness, and physical safety; and

(f) meet children's physiological needs for activity, sensory stimulation, fresh air, rest, hygiene, and nourishment and elimination; and

(8) strategies for assessing a preprimary-aged child's emerging level of creative development and how to use this information to establish individual creative development goals and design developmentally appropriate learning experiences that:

(a) help children develop and sustain curiosity about the world including past, present, and future events, trends, relationships, and understandings;

(b) build children's confidence, creativity, imagination, personal expression of thoughts and feelings, initiative, and persistence in task completion;

(c) encourage children to express ideas and feelings;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

- (d) provide children with opportunities to use materials in self-selected and self-directed ways;
- (e) use open-ended activities to reinforce positive self-esteem and individuality among children; and
- (f) promote shared problem solving, creativity, and conceptual integration among children.

D. A teacher of young children in the primary grades plans, designs, and implements developmentally appropriate learning experiences. The teacher must understand:

(1) the cognitive, social and emotional, physical, and creative development of primary-aged children and how children's development and learning are integrated;

(2) how to establish and maintain physically and psychologically safe and healthy learning environments for primary-aged children that:

(a) acknowledge the influence of the physical setting, scheduling, routines, and transitions on children and use these experiences to promote young children's development and learning;

(b) acknowledge developmental consequences of stress and trauma, protective factors and resilience, and the development of mental health and the acceptance of supportive relationships;

(c) acknowledge basic health, nutrition, and safety management practices for primary-aged children, including procedures regarding childhood illness and communicable diseases; and

(d) recognize signs of emotional distress, child abuse, and neglect in young children and know responsibility and procedures for reporting known or suspected abuse or neglect to appropriate authorities;

(3) how to create learning environments that emphasize play, active manipulation of concrete materials, child choice and decision making, exploration of the environment, and interactions with others;

(4) the central concepts and tools of inquiry for teaching language and literacy, including how to:

(a) use teaching practices that support and enhance literacy development at all developmental levels;

(b) use appropriate techniques for broadening the listening, speaking, reading, and writing vocabularies of primary-aged children;

(c) help children use phonemic, semantic, and graphemic cuing systems during literacy learning activities;

(d) develop primary-aged children's ability to use spoken, visual, and written language to communicate with a variety of audiences for different purposes;

(e) communicate with adult caregivers of primary-aged children about concepts of language and literacy development and age-appropriate learning materials; and

(f) use a variety of strategies to present, interpret, and elicit responses to primary-aged children's literature;

(5) the central concepts and tools of inquiry for teaching mathematics, including:

(a) the use and understanding of mathematics and of how primary-aged children learn mathematics to guide instruction that develops children's understanding of number sense and number systems, geometry, and measurement;

(b) planning activities that develop primary-aged children's understanding of mathematics and increases their ability to apply mathematics to everyday problems;

(c) helping primary-aged children experience mathematics as a way to explore and solve problems in their environment at home and in school through open-ended work that includes child-invented strategies with different problems, games, and authentic situations;

(d) selecting and creating a variety of resources, materials, and activities for counting and studying patterns and mathematical relationships;

(e) building learning environments where children can construct their own knowledge for learning mathematics;

(f) providing objects, counters, charts, graphs, and other materials to help primary-aged children express ideas, and represent and record problem solving through numbers and symbols;

(g) using field trips, science experiments, cooking and snack times, sports, and games to use mathematics to solve problems, to symbolize phenomena and relationships, and to communicate quantitative information; and

(h) asking questions to clarify how primary-aged children perceive a problem, develop a strategy, and understand different approaches to reasoning and thinking in mathematics;

(6) the central concepts and tools of inquiry for teaching science, including:

(a) supporting primary-aged children's enthusiasm, wonder, and curiosity about the world and increase their understanding of the world;

(b) building on primary-aged children's capabilities for using their senses to acquire information by examining, exploring, comparing, classifying, describing, and asking questions about materials and events in their environment;

(c) creating engaging and useful interdisciplinary projects that introduce primary-aged children to the major ideas of science;

(d) encouraging primary-aged children to make predictions, gather and classify data, carry out investigations, make observations, and test ideas about natural phenomena and materials; and

(e) designing experiences to help primary-aged children construct and build their knowledge of science;

(7) the central concepts and tools of inquiry for teaching social studies, including:

(a) building on primary-aged children's experiences in their classrooms, homes, and communities to enrich understandings about social relationships and phenomena;

(b) leading primary-aged children to examine and discuss similarities, common interests, and needs and important differences among peoples, communities, and nations; and

(c) promoting social development, democratic ideals, civic values, cooperative relationships, and mutual respect within the school community while helping primary-aged children grow as citizens;

(8) the central concepts and tools of inquiry for teaching visual and performing arts, including:

(a) providing primary-aged children with the time, materials, and opportunities to explore, manipulate, and create using a variety of media;

(b) providing primary-aged children with experiences producing, discussing, and enjoying various forms of the arts, including visual art, music, creative drama, and dance;

(c) enabling primary-aged children to understand how the arts represent different ways to perceive and interpret the world;

(d) promoting primary-aged children's knowledge of various criteria for evaluating the arts; and

(e) using a variety of artistic materials and techniques for discussing, experiencing, and thinking about important and interesting questions and phenomena with primary-aged children; and

(9) the central concepts and tools of inquiry for teaching health and physical education, including:

(a) providing experiences to encourage personal and community health promotion, disease prevention, and safety;

(b) applying movement concepts and principles to the learning and development of motor skills; and

(c) encouraging the development of a health-enhancing level of physical fitness.

E. A teacher of young children establishes and maintains positive, collaborative relationships with families. The teacher must understand:

(1) the need to respect families' choices and goals for their children and the need to communicate with families about curriculum and their children's progress;

(2) the need to be sensitive to differences in family structures and social and cultural backgrounds;

(3) theories of families and dynamics, roles, and relationships within families and between families and communities;

(4) how to support families in assessing educational options and in making decisions related to child development and parenting; and

(5) how to link families with a range of family-oriented services based on identified resources, priorities, and concerns.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

F. A teacher of young children uses informal and formal assessment and evaluation strategies to plan and individualize curriculum and teaching practices. The teacher must understand:

- (1) observing, recording, and assessing young children's development and learning and engage children in self-assessment;
- (2) using information gained by observation of family dynamics and relationships to support the child's learning;
- (3) using assessment results to identify needs and learning styles and to plan appropriate programs, environments, and interactions; and
- (4) developing and using formative and summative program evaluation instruments to enhance and maintain comprehensive program quality for children, families, and the community.

G. A teacher of young children understands historical and contemporary development of early childhood education. The teacher must understand:

- (1) the multiple historical, philosophical, and social foundations of early childhood education and how these foundations influence current thought and practice; and
- (2) the effects of societal conditions on children and families, and current issues and trends, legal issues, and legislation and other public policies affecting children, families, and programs for young children and the early childhood profession.

H. The teacher of young children applies effective teaching practices for teaching young children through a variety of early and ongoing clinical experiences with infant and toddler, preprimary-aged, and primary-aged children within a range of educational programming models.

Subp. 4. Continuing licensure. A continuing license shall be issued and renewed according to the Board of Teaching rules governing continuing licensure.

Subp. 5. Effective date. The requirements in this part for licensure as a teacher of early childhood education are effective on September 1, 2001, and thereafter.

### **8710.3100 TEACHERS OF PARENT AND FAMILY EDUCATION.**

Subpart 1. Scope of practice. A teacher of parent and family education is authorized to instruct parents in an early childhood family education program.

Subp. 2. Licensure requirements. A candidate for licensure to teach parent and family education in an early childhood family education program shall:

- A. hold a baccalaureate degree from a college or university that is accredited by the regional association for accreditation of colleges and secondary schools;
- B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and
- C. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of parent and family education in subpart 3.

Subp. 3. Subject matter standard. A candidate for licensure as a teacher of parent and family education must complete a preparation program under subpart 2, item C, that includes the candidate's demonstration of the knowledge and skills in items A to D.

A. A teacher of parent and family education must understand families:

- (1) the parent's role as primary socializer and educator of the family;
- (2) theories of family dynamics;
- (3) family communication;
- (4) family structures;
- (5) family strengths from multiple perspectives;
- (6) human sexual behavior;
- (7) gender roles;
- (8) family decision-making and problem-solving processes;
- (9) the effects of disabilities on family relationships;
- (10) the reciprocal relationships between family and community;
- (11) the effects of culture and ethnicity on family relationships;
- (12) the interaction of socioeconomic situations and family dynamics;
- (13) the influence of public policies on families;

(14) influence of the social and historical climate on families; and

(15) the effects of change and loss on family functioning.

B. A teacher of parent and family education must understand parent-child relationships:

(1) multidisciplinary descriptions of parenting practices and healthy parent-child relationships;

(2) theories of parent-child interaction;

(3) the reciprocal nature of parent-child relationships;

(4) the impact of parent expectations, practices, and behaviors on the child's development;

(5) the impact of work and other external influences on parental behaviors;

(6) stages of parenting across the life span;

(7) mother-child, father-child, and other primary caregiver-child relationships;

(8) the influence of adult partner relationships on parent-child relationships;

(9) the signs of emotional distress, abuse, and neglect in parent-child relationships;

(10) specific family situations, for example, single parenting, stepparenting, adolescent parenting, adoptive parenting, grandparenting, and the effects of disabilities on parenting; and

(11) the effects of culture and ethnicity on parent-child relationships.

C. A teacher of parent and family education must understand child development:

(1) theories of child development;

(2) social, psychological, physical, cognitive, language, and moral development;

(3) individual differences among children;

(4) the effects of disabilities on child development;

(5) the influence of culture, community, and experiences on development;

(6) the formation of a child's self-identity and self-esteem;

(7) the role of play in child development;

(8) sexuality development;

(9) developmentally appropriate learning environments, activities, and interactions; and

(10) the effects of health and nutrition on child development.

D. A teacher of parent and family education must understand adult development:

(1) that each adult is unique and exhibits individual patterns of development influenced by physical, social, cultural, psychological, and experiential factors;

(2) biological changes in adulthood and developmental aspects of aging and the impact on adult learning;

(3) adult learning and learning styles, adult cognitive development, and use of instructional strategies that promote adult learning and development;

(4) theories of adult development and how to apply theory when making instructional decisions; and

(5) how to apply the standards of effective practice in teaching adult students through a series of formal observations and directed instructional experiences with adults participating in early childhood and family education programs.

Subp. 4. **Continuing license.** A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

Subp. 5. **Effective date.** The requirements in this part for licensure as a teacher of parent and family education are effective on September 1, 2001, and thereafter.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

---

### **8710.3200 TEACHERS OF ELEMENTARY EDUCATION WITH A SPECIALTY.**

Subpart 1. Scope of practice. The teacher of elementary education is authorized to teach all subjects to children in kindergarten through grade 6 and:

A. preprimary children age three and above;

B. a selected academic specialty in communication arts and literature, mathematics, science, or social studies to young adolescents in grades 5 through 8; or

C. a world language and culture in kindergarten through grade 8.

The specialty in this subpart for which the teacher is licensed shall be identified on the teacher's license.

Subp. 2. Licensure requirements. A candidate for licensure to teach elementary students in kindergarten through grade 6 and for licensure to teach preprimary children age three and above, a selected academic specialty to young adolescents in grades 5 through 8, or a world language and culture in kindergarten through grade 8 shall:

A. hold a baccalaureate degree from a college or university that is accredited by the regional association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers listed in part 8710.2000; and

C. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of elementary education in kindergarten through grade 6 in subpart 3 and a specialty in subpart 4.

Subp. 3. Subject matter standards, elementary education. A candidate must complete a preparation program for licensure under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to G and in at least one of subpart 4, items A to F.

A. A teacher of children in kindergarten through grade 6 and either preprimary children age three and above, young adolescents in grades 5 through 8, or a world language and culture in kindergarten through grade 8 must:

(1) understand and apply the research base for and the best practices of kindergarten, elementary, and preprimary or middle level education;

(2) understand and apply educational principles relevant to physical, social, emotional, moral, and cognitive development of young children through young adolescents;

(3) understand and apply the concepts of "belonging" and "family connectedness" as crucial to the development of young children through young adolescents;

(4) understand and apply the process and necessity of collaboration with families and other adults in support of the learning of young children through young adolescents;

(5) understand how to integrate curriculum across subject areas in developmentally appropriate ways; and

(6) apply the standards of effective practice in teaching students in kindergarten through grade 6 and in either preprimary or middle level through a variety of early and ongoing clinical experiences with kindergarten or primary and intermediate students and either preprimary or middle level students within a range of educational programming models.

B. A teacher of children in kindergarten through grade 6 must demonstrate the knowledge of fundamental concepts of communication arts and literature and the connections between them. The teacher must:

(1) develop the skills and understanding to teach reading, writing, speaking, listening, media literacy, and literature;

(2) understand and apply teaching methods related to the developmental stages of language;

(3) use a variety of strategies to develop a student's ability to read with fluency and comprehension;

(4) use a variety of developmentally appropriate techniques for augmenting the listening, speaking, reading, and writing vocabularies of children;

(5) use a variety of appropriate strategies, techniques, and skills for developing comprehension;

(6) know how to integrate the communication arts;

(7) develop children's use of a process to write competently with confidence, accuracy, and imagination appropriate to the purpose and audience;

(8) develop children's ability to use written, spoken, and visual language to communicate effectively with a variety of audiences and for different purposes;

(9) know children's and young adolescents' literature representing a variety of genre;

(10) know how to use books and other printed sources to develop children's and young adolescents' personal growth and lifelong learning;

(11) integrate the instruction of reading into all content areas; and

(12) use a variety of developmentally appropriate techniques for the application of textual and technological learning experiences.

C. A teacher of children in kindergarten through grade 6 must demonstrate knowledge of fundamental concepts of mathematics and the connections between them. The teacher must know and apply:

(1) concepts of mathematical patterns, relations, and functions, including the importance of number and geometric patterns in mathematics and the importance of the educational link between primary school activities with patterns and the later conceptual development of important ideas related to functions and be able to:

(a) identify and justify observed patterns;

(b) generate patterns to demonstrate a variety of relationships; and

(c) relate patterns in one strand of mathematics to patterns across the discipline;

(2) concepts and techniques of discrete mathematics and how to use them to solve problems from areas including graph theory, combinatorics, and recursion and know how to:

(a) help students investigate situations that involve counting finite sets, calculating probabilities, tracing paths in network graphs, and analyzing iterative procedures; and

(b) apply these ideas and methods in settings as diverse as the mathematics of finance, population dynamics, and optimal planning;

(3) concepts of numerical literacy:

(a) possess number sense and be able to use numbers to quantify concepts in the students' world;

(b) understand a variety of computational procedures and how to use them in examining the reasonableness of the students' answers;

(c) understand the concepts of number theory including divisibility, factors, multiples, and prime numbers, and know how to provide a basis for exploring number relationships; and

(d) understand the relationships of integers and their properties that can be explored and generalized to other mathematical domains;

(4) concepts of space and shape:

(a) understand the properties and relationships of geometric figures;

(b) understand geometry and measurement from both abstract and concrete perspectives and identify real world applications; and

(c) know how to use geometric learning tools such as geoboards, compass and straight edge, ruler and protractor, patty paper, reflection tools, spheres, and platonic solids;

(5) data investigations:

(a) use a variety of conceptual and procedural tools for collecting, organizing, and reasoning about data;

(b) apply numerical and graphical techniques for representing and summarizing data;

(c) interpret and draw inferences from data and make decisions in a wide range of applied problem situations; and

(d) help students understand quantitative and qualitative approaches to answering questions and develop students' abilities to communicate mathematically;

(6) concepts of randomness and uncertainty:

(a) probability as a way of describing chance in simple and compound events; and

(b) the role of randomness and sampling in experimental studies;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

(7) mathematical processes:

(a) know how to reason mathematically, solve problems, and communicate mathematics effectively at different levels of formality;

(b) understand the connections among mathematical concepts and procedures, as well as their application to the real world;

(c) understand the relationship between mathematics and other fields; and

(d) understand and apply problem solving, reasoning, communication, and connections; and

(8) mathematical perspectives:

(a) understand the history of mathematics and the interaction between different cultures and mathematics; and

(b) know how to integrate technological and nontechnological tools with mathematics.

D. A teacher of children in kindergarten through grade 6 must demonstrate knowledge of fundamental social studies concepts and the connections among them. The teacher must know and apply:

(1) tools of inquiry and problem solving;

(2) concepts of:

(a) culture and cultural diversity;

(b) the ways human beings view themselves in and over time;

(c) the interaction between people, places, and environments;

(d) individual development and identity;

(e) interactions among individuals, groups, and institutions;

(f) how people create and change structures of power and authority and of governance;

(g) how people organize for the production, distribution, and consumption of goods and services and how those choices impact the environment;

(h) the relationships among science, technology, and society;

(i) global connections and independence; and

(j) the ideals, principles, and practices that promote productive community involvement;

(3) history, government, and culture of Minnesota-based American Indian tribes as integrating concepts throughout the elementary curriculum; and

(4) the environment as an integrating concept through understanding of how to use the sciences, social sciences, mathematics, arts, and communications in the exploration of environmental issues and topics.

E. A teacher of children in kindergarten through grade 6 must demonstrate a fundamental knowledge of scientific perspectives, scientific connections, science in personal and social perspectives, the domains of science, and the methods and materials for teaching science and scientific inquiry. The teacher must:

(1) understand science as a human endeavor, the nature of scientific knowledge, and the historical perspective of science;

(2) know and apply the understandings and abilities of scientific inquiry including the ability to:

(a) identify questions and concepts that can be explored through scientific inquiry;

(b) design and conduct scientific investigations;

(c) use appropriate scientific instrumentation and equipment and mathematics as tools to improve scientific investigations and communications;

(d) compare the use of multiple types of inquiry for answering questions;

(e) evaluate alternative explanations and models based on evidence, current scientific understanding, and logic; and

(f) communicate and defend a scientific argument;

(3) know how to make connections across the domains of science, between science and technology, and between science and other school subjects;

(4) use scientific understandings and abilities when making decisions about personal and societal issues;

(5) know and apply the fundamental concepts and principles of physical science concerning properties of and changes in matter; position, motion, and force; light, heat, electricity, and magnetism; and kinds of and ways to transfer energy;

(6) know and apply the fundamental concepts and principles of life science concerning the characteristics of organisms, the life cycle of organisms, the interrelationships of organisms and environments, structure and function in living systems, reproduction and heredity, regulation and behavior, populations and ecosystems and their interrelationships, and diversity and adaptations of organisms;

(7) know and apply the fundamental concepts and principles of earth and space science concerning properties of earth materials; objects in the sky; changes in earth and sky; structure of the earth system, including hydrosphere, biosphere, atmosphere, and lithosphere; history of the earth; and earth in the solar system; and

(8) know and apply pedagogy and classroom management in science and scientific inquiry including understanding:

(a) content standards under chapter 3501 for recommendations regarding curriculum, instruction, assessment, professional development, and program development;

(b) how to teach scientific inquiry in a developmentally appropriate manner;

(c) common student misconceptions in science and developmentally appropriate strategies to elicit students' misconceptions and help them move to accepted scientific understandings; and

(d) how to implement safe environments for learning science through knowing:

i. state and national legal responsibilities and safety guidelines for teaching science;

ii. how to establish and enforce recognized safety procedures during the science learning experience;

iii. how to use required safety equipment for classroom, field, and laboratory settings including goggles, fire extinguisher, fire blanket, eye wash, and chemical shower;

iv. how to manage, maintain, and utilize science supplies and equipment;

v. state and national guidelines and plan for the care, storage, use, and disposal of chemicals and equipment used to teach science;

vi. the ethics of and restrictions on making and maintaining collections of scientific specimens and data; and

vii. the ethics of and restrictions on the use of live organisms, and how to acquire, care, handle, and dispose of organisms.

F. A teacher of children in kindergarten through grade 6 must demonstrate knowledge of fundamental physical education and health concepts and the connections among them. The teacher must:

(1) understand the knowledge needed for providing learning experiences that encourage personal and community health promotion, disease prevention and safety, and proper nutritional choices;

(2) understand strategies for reducing and preventing accidents; drug, alcohol, and tobacco use; and high-risk situations and relationships;

(3) understand and apply movement concepts and principles to the learning and development of motor skills; and

(4) understand the knowledge needed for providing learning experiences that develop a health-enhancing level of physical fitness.

G. A teacher of children in kindergarten through grade 6 must demonstrate knowledge of fundamental visual and performing arts, including music, dance, and theater, concepts and the connections among them. The teacher must:

(1) understand the basic structural elements, principles, and vocabulary of the visual and performing arts;

(2) be able to perform and create using the basic elements and processes of visual and performing arts;

(3) know and apply within the elementary curriculum strategies for nurturing artistic modes of expression and thinking;

(4) understand the role of visual and performing arts in culture; and

(5) know the characteristics of children's developmental stages in the visual and performing arts.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

---

**Subp. 4. Subject matter standards for specialty in preprimary education or middle level academic field.** A candidate must complete a preparation program under subpart 2, item C, for licensure in elementary education to teach students in kindergarten through grade 6 that must include the understandings and skills in subpart 3 and a specialty in at least one area in items A to F.

**A.** A teacher with a specialty for teaching communication arts and literature in grades 5 through 8 must demonstrate knowledge of fundamental concepts of the communication arts and literature and the connections among them. The teacher must:

(1) understand the literacy needs of young adolescents encompassing the need to comprehend narrative and technical writing, the need to successfully access available databases, the need to write at an interactive level including a variety of personal formats, and the ability to interact on all cognitive levels through writing;

(2) understand the importance of building student schema and metacognition in comprehending new information at higher levels of thinking;

(3) possess the strategies and skills necessary to teach young adolescents how to use content area text structure as an aid to their comprehension;

(4) possess the ability to use authentic assessment practices for the evaluation of young adolescents' development in literacy skills;

(5) possess the strategies and skills necessary to expand the vocabulary acquisition strategies of young adolescents as they grow in their literacy behaviors; and

(6) possess the strategies and skills necessary to develop the reading and writing behaviors of young adolescents across a breadth of content areas.

**B.** A teacher with a specialty for teaching mathematics in grades 5 through 8 must demonstrate knowledge of fundamental concepts of mathematics and the connections among them. The teacher must know and apply:

(1) concepts of patterns, relations, and functions:

(a) recognize, describe, and generalize patterns and build mathematical models to describe situations, solve problems, and make predictions;

(b) analyze the interaction within and among quantities and variables to model patterns of change and use appropriate representations including tables, graphs, matrices, words, algebraic expressions, and equations;

(c) represent and solve problem situations that involve variable quantities and be able to use appropriate technology;

(d) understand patterns present in number systems and apply these patterns to further investigations;

(e) apply properties of boundedness and limits to investigate problems involving sequences and series; and

(f) apply concepts of derivatives to investigate problems involving rates of change;

(2) concepts of discrete mathematics:

(a) application of discrete models to problem situations using appropriate representations including sequences, finite graphs and trees, matrices, and arrays;

(b) application of systematic counting techniques in problem situations to include determining the existence of a solution, the number of possible solutions, and the optimal solution;

(c) application of discrete mathematics strategies including pattern searching; organization of information; sorting; case-by-case analysis; iteration and recursion; and mathematical induction to investigate, solve, and extend problems; and

(d) exploration, development, analysis, and comparison of algorithms designed to accomplish a task or solve a problem;

(3) concepts of number sense:

(a) understand number systems; their properties; and relations including whole numbers, integers, rational numbers, real numbers, and complex numbers;

(b) possess an intuitive sense of numbers including a sense of magnitude, mental mathematics, estimation, place value, and a sense of reasonableness of results;

(c) possess a sense for operations, application of properties of operations, and the estimation of results;

(d) be able to translate among equivalent forms of numbers to facilitate problem solving; and

(e) be able to estimate quantities and evaluate the reasonableness of estimates;

(4) concepts of shape and space:

(a) shapes and the ways in which shape and space can be derived and described in terms of dimension, direction, orientation, perspective, and relationships among these properties;

(b) spatial sense and the ways in which shapes can be visualized, combined, subdivided, and changed to illustrate concepts, properties, and relationships;

(c) spatial reasoning and the use of geometric models to represent, visualize, and solve problems;

(d) motion and the ways in which rotation, reflection, and translation of shapes can illustrate concepts, properties, and relationships;

(e) formal and informal argument, including the processes of making assumptions; formulating, testing, and reformulating conjectures; justifying arguments based on geometric figures; and evaluating the arguments of others;

(f) plane, solid, and coordinate geometry systems including relations between coordinate and synthetic geometry, and generalizing geometric principles from a two-dimensional system to a three-dimensional system;

(g) attributes of shapes and objects that can be measured, including length, area, volume, capacity, size of angles, weight, and mass;

(h) the structure of systems of measurement, including the development and use of measurement systems and the relationships among different systems; and

(i) measuring, estimating, and using measurements to describe and compare geometric phenomena;

(5) concepts of data investigations:

(a) data and its power as a way to explore questions and issues;

(b) investigation through data, including formulating a problem; devising a plan to collect data; and systematically collecting, recording, and organizing data;

(c) data representation to describe data distributions, central tendency, and variance through appropriate use of graphs, tables, and summary statistics; and

(d) analysis and interpretation of data, including summarizing data; and making or evaluating arguments, predictions, recommendations, or decisions based on an analysis of the data; and

(6) concepts of randomness and uncertainty:

(a) inference and the role of randomness and sampling in statistical claims about populations;

(b) probability as a way to describe chance or risk in simple and compound events;

(c) predicting outcomes based on exploration of probability through data collection, experiments, and simulations; and

(d) predicting outcomes based on theoretical probabilities and comparing mathematical expectations with experimental results.

C. A teacher with a specialty for teaching social studies in grades 5 through 8 must demonstrate knowledge of fundamental concepts of the social studies disciplines and the connections among them. The teacher must know and apply:

(1) concepts of the ways human beings view themselves in and over time:

(a) that different historians may describe the same event or situation in different ways;

(b) key concepts including chronology, causality, change, conflict, and complexity to explain, analyze, and show connections among patterns of historical change and continuity;

(c) processes important to reconstructing and reinterpreting the past;

(d) that historical perspectives are influenced by individual experiences, societal values, and critical traditions; and

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

(e) how to use knowledge of facts and concepts drawn from history, along with methods of historical inquiry, to inform and evaluate actions concerning public policy issues;

(2) concepts of people, places, and environments:

(a) how to map information in a spatial context and interpret the maps;

(b) land forms and geographic features;

(c) physical system changes, including seasons, climate and weather, and the water cycle, and identify geographic patterns associated with them;

(d) physical and cultural patterns and their interactions, including land use, settlement patterns, cultural transmission of customs and ideas, and ecosystem changes; and

(e) how historical events have been influenced by, and have influenced, physical and human geographic factors in local, regional, national, and global settings;

(3) concepts of how people organize for the production, distribution, and consumption of goods and services:

(a) how economic systems structure the production and distribution of goods and services;

(b) the costs and benefits to society of allocating goods and services through private and public sectors;

(c) a range of various institutions that make up economic systems, for example households, business firms, banks, and corporations;

(d) how values and beliefs influence different economic decisions; and

(e) how to use economic reasoning to compare different proposals for dealing with contemporary social issues;

(4) concepts of ideals, principles, and practices of citizenship in a democratic republic:

(a) the purpose of government and how its powers are acquired, used, and justified;

(b) the basic features of the political system in the United States;

(c) the key ideals of the democratic republican form of government;

(d) the process for becoming a citizen and the rights and responsibilities of citizenship;

(e) how to locate, access, analyze, organize, and apply information about selected public issues;

(f) diverse forms of public opinion and the influence that various forms of citizen action have on public policy development and decision making; and

(g) how various forms of citizen action can strengthen the common good; and

(5) relationships among science, technology, and society:

(a) how science and technology have changed people's perceptions of the social and natural world;

(b) ways in which values, beliefs, and attitudes are influenced by new scientific and technological knowledge;

(c) the need for laws and policies to govern scientific and technological applications; and

(d) the need to seek reasonable and ethical solutions to problems that arise when scientific advancements and social norms or values come into conflict.

D. A teacher of elementary education with a specialty in science for grades 5 through 8 must meet the standards in part 8710.4750, subpart 3.

E. A teacher of elementary education with a specialty for teaching a world language and culture in kindergarten through grade 8 must meet the standards for licensure of Teachers of World Languages and Cultures in part 8710.4950, subpart 2, item A.

F. A teacher of elementary education selecting a specialty in preprimary education valid for teaching preprimary students age three and above must meet the standards in part 8710.3000, subpart 3, items A, C, E, F, and G.

Subp. 5. Continuing licensure. A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

Subp. 6. Effective date. The requirements of this part for licensure as a teacher of elementary education with a specialty are effective on September 1, 2001, and thereafter.

**8710.4000 TEACHERS OF ADULT BASIC EDUCATION.**

Subpart 1. Scope of practice. A teacher of adult basic education is authorized to provide to learners who are 16 years of age or over and are not enrolled in elementary or secondary schools instruction that is designed to develop mastery of basic education skills including English language skills. This part shall not prohibit a school board from employing a teacher who holds a valid Minnesota classroom teaching license but who is not licensed as a teacher of adult basic education to teach adult basic education. A license under this part does not qualify a teacher to provide instruction leading to a high school diploma.

Subp. 2. Licensure requirements. A candidate for licensure to teach adult basic education shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and

C. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of adult basic education in subpart 3.

Subp. 3. Subject matter standard. A candidate for licensure as a teacher of adult basic education must complete a preparation program under subpart 2, item C, that includes the candidate's demonstration of the knowledge and skills in items A to I.

A. A teacher of adult basic education must understand adult basic education organizational structure:

(1) the history and philosophy of adult basic education including its purposes, mission, and populations to be served;

(2) federal and state adult basic education legislation, policies, and regulatory agencies including sources of funding; and

(3) systems of delivering adult education programs and services.

B. A teacher of adult education must understand adult learning theories:

(1) characteristics common to all adult learners as well as those common to unique populations;

(2) contemporary strategies and models for teaching adults; and

(3) formal and informal diagnostic procedures, including self-assessment, for identifying the academic and personal needs of adult learners and how to use this information as the basis for customizing the curriculum so as to meet their needs.

C. A teacher of adult education must understand the content and methods for teaching reading:

(1) multiple methods of teaching reading;

(2) how to apply comprehension strategies for a variety of purposes to various types of materials, including those encountered in everyday life situations;

(3) the stages of the reading process and the ability to model and teach strategies that occur before, during, and after reading; and

(4) how to convey the importance of books and other printed sources to personal growth and lifelong learning.

D. A teacher of adult education must understand the content and methods for teaching mathematics:

(1) mathematical concepts and the procedures and connections between them including:

(a) basic mathematics processes including addition, subtraction, multiplication, and division;

(b) basic mathematics systems of whole numbers, fractions, decimals, and percentages;

(c) estimation of quantities and the evaluation of the reasonableness of estimates;

(d) systems of measurement and their use; and

(e) constructing, reading, interpreting, and making inferences from tables, charts, and graphs;

(2) mathematical problem-solving techniques and strategies; and

(3) how to teach mathematics contextually to reflect actual uses using real world materials and situations that build on the adult learner's prior knowledge.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

E. A teacher of adult education must understand the content and methods for teaching listening and speaking:

- (1) the listening process and how to receive, attend to, interpret, and respond appropriately to verbal messages and other cues;
- (2) ways of constructing meaning for participation in formal and informal speaking situations so students can organize ideas and use different verbal and nonverbal communication styles;
- (3) how to teach listening and speaking contextually to reflect actual uses using real world materials and situations that build on the adult learner's prior knowledge; and
- (4) how to adopt appropriate learning materials and adapt teaching strategies to meet the second language needs of adult learners whose first language is not English.

F. A teacher of adult education must understand the content and methods for teaching writing:

- (1) the stages of the writing process;
- (2) multiple strategies to assess and respond to student writing;
- (3) the principles and formats of communicating thoughts, ideas, information, and messages appropriately and effectively in written English; and
- (4) how to teach writing contextually so as to reflect actual uses using real world materials and situations that build on the adult learner's prior knowledge.

G. A teacher of adult education must understand the content and methods for teaching application skills:

- (1) the higher order thinking skills of thinking critically, solving problems, and making decisions;
- (2) effective interpersonal and group participation; and
- (3) understanding how to learn.

H. A teacher of adult basic education must understand career development and transition skills:

- (1) the culture of the contemporary workplace and the changing nature of job skills;
- (2) the process of accessing information and resources of jobs and training;
- (3) the career decision-making process; and
- (4) the skills necessary to find and keep a job.

I. A teacher of adult basic education must understand adult teaching and learning:

- (1) factors for selecting and techniques for using materials and resources in adult education programming;
- (2) formal and informal diagnostic procedures for identifying the academic and personal needs of adult learners and how to use this information to develop competency-based instruction for individuals, small groups, and large groups;
- (3) strategies for learners to assess their own progress; and
- (4) factors to consider in developing unique curricula for specialized adult populations.

Subp. 4. **Continuing license.** A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

Subp. 5. **Effective date.** The requirements in this part for licensure as a teacher of adult basic education are effective on September 1, 2001, and thereafter.

### **8710.4050 TEACHERS OF AGRICULTURE.**

Subpart 1. **Scope of practice.** A teacher of agriculture is authorized to provide to students in grades 5 through 12 instruction that is designed to develop the student's literacy in the food, fiber, and natural resources systems, the agricultural applications of the concepts and the interdisciplinary nature of science; and to assist students to develop agricultural and agriculture-related career perspectives and workplace skills.

Subp. 2. **Licensure requirements.** A candidate for licensure to teach agriculture to students in grades 5 through 12 shall:

- A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;
- B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and
- C. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of agriculture in subpart 3.

Subp. 3. **Subject matter standard.** A candidate for licensure as a teacher of agriculture must complete a preparation program under subpart 2, item C, that includes the candidate's demonstration of the knowledge and skills in items A to L.

A. A teacher of agriculture must understand the anatomy, taxonomy, physiology, and ecology of plants and the application of the principles of genetics, propagation, selection, culture, and use of plants in agronomy, horticulture, or forestry.

B. A teacher of agriculture must understand the anatomy and physiology of animals; the application of principles of genetics, breeding, selection, nutrition, care and health of animals for use in production, companionship, and recreation; and other contemporary issues that include ethics and waste management.

C. A teacher of agriculture must understand the principles and practices of ecology and conservation in the areas of air, water, land, and wildlife flora and fauna; the principles and practices of soils and soil management; and the interactions of humans in natural and managed environments.

D. A teacher of agriculture must understand the principles of economics; business and resource management; sales and marketing of commodities and services; and managerial accounting and bookkeeping procedures.

E. A teacher of agriculture must understand the principles and practices of mechanical systems that include fluid, electrical, and fuel-powered units; the design, fabrication, construction, and use of agricultural structures, equipment, and systems; alternative energy sources, including wind, solar, and geothermal energy; measuring tools and equipment; and product storage, water management, waste management, and materials handling.

F. A teacher of agriculture must understand the selection and use of technology appropriate to the industry.

G. A teacher of agriculture must understand the production, processing, preservation, packaging, storage, marketing, and distribution of dairy products, meats, fruits and vegetables, textiles, and wood products; and have knowledge of the laws, regulations, and issues affecting food and fiber quality and safety.

H. A teacher of agriculture must understand the diversity of agriculture; population and cultural impact on world economics and trade; and productive capacity, productive potential, and comparative advantage.

I. A teacher of agriculture must understand the principles and practices of leadership and communication that apply to organization's and community settings; role and structure of the student organization as an integral curricular component; and integration of the role and structure of the student organizations in developing the student through individual, cooperative, and collaborative activities that prepare the student for a role in the school, community, and workplace.

J. Through regular employment, internship, mentorship, job shadowing, or apprenticeship, a teacher of agriculture education must understand the function and operation of:

(1) businesses that supply goods and services to agriculture and agricultural-related enterprises; production units; and businesses that process, market, and distribute agricultural-related products; and

(2) diverse natural resources occupations, including recreational, conservation, and related occupations.

K. A teacher of agriculture must understand the principles and practices of career planning and development that incorporates the role of career exploration in the process.

L. A teacher of agriculture must demonstrate an understanding of the teaching of agriculture that integrates agriculture with pedagogy, students, learning, classroom management, and professional development to:

(1) understand and apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of preadolescents and adolescents;

(2) understand and apply the research base and the best practices of middle level and high school education;

(3) develop curriculum goals and purposes based on the central concepts of agriculture; and know how to apply instructional strategies and materials for achieving student understanding of agriculture;

(4) understand the role and alignment of district, school, and department mission and goals in program planning;

(5) connect students' schooling experiences with everyday life, the workplace, and further educational opportunities;

(6) involve representatives of business, industry, and community organizations as active partners in creating educational opportunities;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

(7) understand the role and purpose of cocurricular and extracurricular activities in the teaching and learning process;

(8) understand the impact of reading ability on student achievement, recognize the varying reading comprehension and fluency levels represented by the students, possess strategies to assist students to enhance reading ability throughout the study of agriculture; and

(9) apply the standards of effective practice in teaching students through a variety of early and ongoing experiences with middle level and high school students within a range of educational programming models.

**Subp. 4. Continuing license.** A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

**Subp. 5. Effective date.** The requirements in this part for licensure as a teacher of agriculture are effective on September 1, 2001, and thereafter.

### **8710.4100 TEACHERS OF AMERICAN INDIAN LANGUAGE, HISTORY, AND CULTURE.**

**Subpart 1. Issuance of license authorized.** The Board of Teaching shall, under this part and *Minnesota Statutes*, section 126.49, authorize the issuance of a license to teach American Indian language, history, and culture to an applicant who has achieved and demonstrated competence in an American Indian language or knowledge and understanding of American Indian history and culture.

**Subp. 2. Scope of practice.** A teacher of American Indian language, history, and culture is authorized to teach an American Indian language or an American Indian history and culture to students in kindergarten through grade 12. This part shall not prohibit a school board from employing a person to teach an American Indian language or American Indian history and culture who does not hold a license under this part.

**Subp. 3. License requirements.** A candidate for licensure to teach American Indian language, history, and culture shall submit an application that:

**A.** specifies the American Indian language or history and culture to be taught;

**B.** includes certified copies of two resolutions attesting to the applicant's competence in an American Indian language or the knowledge and understanding of an American Indian history and culture. One of the resolutions must be from the tribal government governing the tribe or community speaking the language or representing the history and culture for which licensure is requested with the second resolution being from one of subitems (1) to (4):

(1) another reservation or business committee serving the tribe or community speaking the language or representing the history and culture for which licensure is requested;

(2) the local Indian education committee serving the tribe or community speaking the language or representing the history and culture for which licensure is requested;

(3) other bodies governing or serving the tribe or community speaking the language or representing the history and culture; or

(4) authorized officials of professional or learned societies, organizations, or institutions who are qualified to assess the applicant's competence in an American Indian language or the knowledge and understanding of the applicant of the American Indian history and culture.

The resolution shall confirm that the applicant has been assessed and is competent in the language to be taught or possesses knowledge and understanding of the American Indian history and culture to be taught.

**Subp. 4. Continuing license.** A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

**Subp. 5. Effective date.** The requirements in this part for licensure as a teacher of American Indian language, history, and culture are effective on September 1, 2001, and thereafter.

### **8710.4150 TEACHERS OF BILINGUAL/BICULTURAL EDUCATION.**

**Subpart 1. Scope of practice.** A teacher holding a bilingual/bicultural license is authorized to teach the academic content in the students' native or first language at the grade levels defined by the prerequisite classroom teacher license in subpart 2, item B. Bilingual/bicultural education licensure is required when the teaching assignment focuses on providing academic content instruction to students of limited English speaking proficiency in their native or first language for the purposes of gaining access to the curriculum through instruction of academic content in the students' native or first language and developing both the students' native or first language and English language skills.

**Subp. 2. Licensure requirements.** A candidate recommended for licensure to teach bilingual/bicultural education shall:

**A.** hold a baccalaureate degree from a college or university that is accredited by the regional association for accreditation of colleges and secondary schools;

B. hold a valid Minnesota elementary education or a grade 5 through 12 or grade 7 through 12 license in mathematics, a science field, social studies, or health education;

C. demonstrate oral and written proficiency in the students' native or first language as described in subpart 3;

D. demonstrate the standards of effective practice for teaching in part 8710.2000; and

E. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to licensure of teachers of bilingual/bicultural education under subpart 4.

**Subp. 3. Demonstration of oral and written proficiency.** A candidate for licensure as a teacher of bilingual/bicultural education shall demonstrate oral and written proficiency in the students' native or first language under item A or B.

A. The candidate shall verify the completion of a high school or postsecondary education using the students' native or first language as the means of oral and written communication.

B. The candidate shall demonstrate an advanced level of oral proficiency as defined in the ACTFL Proficiency Guidelines established by the American Council on the Teaching of Foreign Languages and an advanced level writing proficiency as defined in this part. The written language proficiency does not apply to a candidate for licensure whose first or native language is a language that is not commonly communicated in written form by native speakers of that language.

A candidate who has an advanced level of written proficiency is able to write routine social correspondence and join sentences in simple discourse of at least several paragraphs in length on familiar topics; write simple social correspondence, take notes, write cohesive summaries and resumes, and narratives and descriptions of a factual nature; use sufficient writing vocabulary to express self simply with some circumlocution; make few errors in punctuation, spelling, or the formation of nonalphabetic symbols; and demonstrate good control of the morphology and the most frequently used syntactic structures; for example, common word order patterns, coordination, and subordination.

**Subp. 4. Subject matter standard.** A candidate for licensure as a teacher of bilingual/bicultural education must complete a preparation program under subpart 2, item E, that must include the candidate's demonstration of the knowledge and skills in items A to I.

A. A bilingual/bicultural education teacher demonstrates an understanding of the contributions of general and applied linguistics to second language education. The bilingual/bicultural education teacher must:

(1) understand basic phonology of language;

(2) understand grammatical concepts that are applicable to dual language instruction;

(3) compare and contrast English with another language;

(4) understand word forms and their contribution to the lexicon in English and other languages;

(5) understand the multiple perspectives of language learners who share a common first language but come from a number of different cultural backgrounds; and

(6) understand how to promote proficiency in two languages.

B. A bilingual/bicultural education teacher understands the fundamentals of the first and second language acquisition process. The bilingual/bicultural education teacher must:

(1) understand the processes of and differences between first and second language acquisition;

(2) understand the similarities and differences between child and adult language acquisition;

(3) understand individual variation in language development of the first and second language;

(4) understand that making errors is part of the natural language acquisition process; and

(5) develop and use curricula that demonstrates an understanding of first and second language acquisition.

C. A bilingual/bicultural education teacher demonstrates an understanding of the history of bilingual education and the cultures represented in the United States and other countries. This includes a solid understanding of the foundations of bilingual education. The bilingual/bicultural education teacher must:

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

(1) understand cultural pluralism in the United States and the relationships between the majority and minority groups;

(2) be knowledgeable about the cultures of the United States and how these cultures interrelate in the global context;

(3) know about the history and development of bilingual education in the United States;

(4) understand the historical contributions of bilingual educators and advocates who have facilitated development of the field;

(5) understand the contributions of the various communities and the importance of family and community participation in education; and

(6) understand the various bilingual education program models and the implications for implementation.

D. A bilingual/bicultural education teacher understands and uses formal and informal assessment techniques to evaluate the progress of limited English proficient students. This understanding includes using two languages for assessment purposes. The bilingual/bicultural education teacher must understand:

(1) entrance, exiting, and monitoring procedures for determining the readiness of limited English proficiency students for academic mainstreaming;

(2) the characteristics, uses, advantages, and limitations of formal and informal second language assessment instruments and techniques in assessing limited English proficient students;

(3) the characteristics, uses, advantages, and limitations of formal and informal academic assessment instruments and techniques in assessing limited English proficient students;

(4) item and test construction methods appropriate to the learning needs of limited English proficient students including a thorough knowledge of dual language assessment;

(5) how to administer, interpret, and explain the results of standardized and alternative methods of assessment to limited English proficient students, parents, and colleagues;

(6) measurement theory and assessment-related issues including validity, reliability, linguistic, and cultural bias, and scoring concerns;

(7) that ongoing assessment is essential to the instructional process and recognize that many different assessment strategies are necessary for monitoring and promoting limited English proficient student learning; and

(8) the limitations of using traditional special education assessment procedures in the identification and placement of limited English proficient students in special education programs.

E. A bilingual/bicultural education teacher understands the importance of developing communication skills in listening, speaking, reading, and writing as being essential to student achievement in all academic areas. The bilingual/bicultural education teacher must:

(1) understand the differences between literacy development in the first language and second language, and the implications for teaching second language learners;

(2) recognize the critical role of language in fostering identity and self-esteem;

(3) understand how cultural and linguistic differences influence communication; and

(4) understand the variation in communication styles of limited English proficient students from diverse cultural backgrounds.

F. A bilingual/bicultural education teacher demonstrates the ability to communicate successfully with students, parents, and members of various cultural groups in the community. The bilingual/bicultural education teacher must understand:

(1) the social structures of diverse cultural groups represented in the bilingual education classroom;

(2) schools as organizations within the larger community and how to communicate successfully with limited English proficient students and their parents within the larger cultural framework;

(3) how factors in the limited English proficient students' environment that include family circumstances, community status, health, and economic conditions may influence learning; and

(4) the legal issues evolving the education of limited English proficient students.

G. A bilingual/bicultural education teacher understands and facilitates content-based language instruction as a means to provide integrated learning experiences for limited English proficient students. The bilingual/bicultural education teacher must:

(1) understand the major concepts, assumptions, and processes of inquiry that are central to the academic content areas that are taught;

(2) understand the connection between language proficiency and learning subject matter content;

(3) understand the importance of building relationships with content area specialists in order to facilitate the acquisition of content knowledge by limited English proficient students; and

(4) develop and use curricula and instructional approaches that enable limited English proficient students to acquire content understandings and skills.

H. The bilingual/bicultural education teacher models correct usage of the English language. The teacher must demonstrate an advanced level of speaking proficiency as defined in the ACTFL Proficiency Guidelines as established by the American Council on the Teaching of Foreign Languages.

I. A bilingual/bicultural education teacher understands and uses a variety of methods and materials suitable for teaching diverse bilingual education learners. The bilingual/bicultural education teacher must:

(1) understand and apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of preadolescents and adolescents;

(2) understand and apply the research base for and the best practices of middle level and high school education;

(3) develop curriculum goals and purposes based on the central concepts of the bilingual/bicultural education and know how to apply instructional strategies and materials for achieving student understanding;

(4) understand the role and alignment of district, school, and department mission and goals in program planning;

(5) understand the need for and how to connect students' schooling experiences with everyday life, the workplace, and further educational opportunities;

(6) know how to involve representatives of business, industry, and community organizations as active partners in creating educational opportunities;

(7) understand the role and purpose of cocurricular and extracurricular activities in the teaching and learning process;

(8) understand how students with limited English proficiency construct knowledge, acquire skills, and develop proficiency in both social and academic setting;

(9) understand the importance of using multiple forms of instructional approaches to address the different learning styles, background experiences, and performance modes of students with limited English proficiency;

(10) know how to create, select, and adapt learning materials to meet the dual language needs of students with limited English proficiency in a school setting;

(11) understand the developmental progression and range of individual variation that can be expected of students with limited English proficiency in the context in which taught;

(12) know when and how to access appropriate services to meet exceptional learning needs beyond the scope of the bilingual education program; and

(13) apply the standards of effective practice in teaching students in kindergarten through grade 8 or in grades 5 through 12 through a variety of early and ongoing experiences within a range of educational programming models.

Subp. 5. **Continuing license.** A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

Subp. 6. **Incorporation by reference.** For the purposes of this part, the ACTFL Proficiency Guidelines published in 1986 by the American Council on the Teaching of Foreign Languages, 6 Executive Plaza, Yonkers, NY 10701-6801, and subsequent editions are incorporated by reference. The guidelines are not subject to frequent change and are available from the state law library.

Subp. 7. **Effective date.** The requirements of this part for licensure as a teacher of bilingual/bicultural education are effective on September 1, 2001, and thereafter.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

### **8710.4200 TEACHERS OF BUSINESS.**

**Subpart 1. Scope of practice.** A teacher of business is authorized to provide to students in grades 5 through 12 instruction that is designed to develop understanding of the functional areas of business including management, sales and marketing, finance, accounting, human resources, and information systems; the factors that affect business including economics, international business, business law, and technology; and the personal and work skills of communications and interpersonal relations, data interpretation and management, computation, collaboration and group process, and career development and transitions.

**Subp. 2. Licensure requirements.** A candidate for licensure to teach business to students in grades 5 through 12 shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8700.2000; and

C. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of business in subpart 3.

**Subp. 3. Subject matter standard.** A candidate for licensure as a teacher of business must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to E.

A. A teacher of business has an integrated understanding of the functional areas of business from the perspective of the consumer, the employee, the business manager, and the entrepreneur. The teacher of business must understand:

(1) business organization and management, including the functions of management; historical and contemporary management theories; characteristics and the advantages and disadvantages of the major forms of business organizations; organizational structures and principles; the role of ethics in management; the impact and relationship of government regulations and community involvement to business management decisions; and the role of organized labor and its influence on government and business;

(2) sales and marketing, including roles of marketing and the impact of marketing on the individual, business, and society; the role and application of ethics in marketing; external factors that influence or dictate marketing decisions; product development and forecasting principles and methods for determining sales potential; role of pricing in the marketing process and the use of various pricing strategies; distribution processes and methods in developing distribution plans; general forms of promotion and how each contributes to successful marketing; market research development, implementation, and evaluation; marketing variables and strategies in dealing with a diversified marketplace; the components of a comprehensive marketing plan; principles of selling and merchandising; and the function of retailing and wholesaling;

(3) financing, including the influence of internal and external factors, including stock market implications, on corporate financial data and how this data is used to make long-term and short-term management decisions; traditional sources for securing financing; the relationships among price, market share, and profitability; personal financial resource management and how more individual wants and needs can be satisfied by wise consumer decision making; the functions of commercial paper, insurance, secured transactions, and bankruptcy; the role of credit and the impact of long-term and short-term credit; and different types of budget processes;

(4) accounting, including the accounting cycle and the purposes of each component of the cycle, methods for determining the value of assets, liabilities, and owner's equity according to generally accepted accounting principles and when and why they are used; how to prepare, interpret, and analyze financial statements using manual and computerized systems for service, merchandising, and manufacturing businesses; and the use of planning and control principles to evaluate the performance of an organization and apply differential analysis and present value concepts to make decisions;

(5) business information systems, including entry-level career expertise in the use of office technology and can explain the purpose, functions, and common features of contemporary office technology including:

(a) computer technology including fundamentals of contemporary computer architecture and touch keyboarding skills to enter and manipulate text and data through word processing, database, spreadsheet, desktop publishing, and presentation graphics software;

(b) multimedia and imaging technology;

(c) telecommunications technology; and

(d) the impact of information systems on society; and

(6) human resources, including the activities of human resources management, its importance to the successful operation of an organization, and the role and importance of employment law as related to the conduct of business in the national and international marketplace.

B. A teacher of business has a fundamental and integrated understanding of the factors that affect business from the perspective of the consumer, the employee, the business manager, and the entrepreneur. The teacher of business must understand:

(1) economic fundamentals, including:

(a) the role of competitive markets and the price mechanism in the production, distribution, and allocation of scarce resources, including human, capital, technological, and natural within the United States economy;

(b) how the basic economic concepts of scarcity, opportunity cost, and trade-off influence the production, allocation, and consumption of goods and services in businesses and households, and the formulation of government domestic and international economic policy;

(c) the linkages between gross domestic production, consumption, investment and savings, employment levels, inflation, international trade, and government policy on taxation and spending;

(d) how the Federal Reserve System acts as our nation's central bank to promote a safe, sound money supply and how it initiates and effectuates the monetary system to allow for noninflationary economic growth;

(e) alternative economic systems, and the philosophical assumptions supporting these alternative systems; and

(f) the importance of, and economic interdependencies that exist in the global economy in relation to world trade, investment, and monetary flows;

(2) international business fundamentals, including:

(a) the role of international business and its impact on careers and doing business at the local, state, national, and international levels;

(b) communication strategies and ethics necessary and appropriate for effective and profitable international business relations;

(c) the role, importance, and basic concepts of international finance and risk management, international marketing, and balance of trade concepts; and

(d) the social, cultural, political, legal, and economic factors that shape and impact the international business environment;

(3) business law fundamentals, including:

(a) the relationship between ethics and the law;

(b) the sources of the law, structure of the court system, and different classifications of procedural and substantive law;

(c) the relationships among contract law, law of sales, and consumer law;

(d) the legal rules that apply to personal property and real property;

(e) how advances in computer technology impact property law, contract law, criminal law, and international law; and

(f) the role and importance of agency law and employment law as they relate to the conduct of business in the national and international marketplaces;

(4) technology concepts that are of lasting value rather than mastery of specific hardware or software skills and knowledge, including:

(a) understanding the fundamentals of current and emerging technological concepts including types, transmissions, storage, and display systems; and

(b) the ability to examine the technological issues from a variety of perspectives including appropriate use, privacy, ethics, remaining current, access, and economic advantages and disadvantages.

C. A teacher of business demonstrates the following essential workplace skills and understands how to create learning experiences that make this content meaningful to students. The teacher of business must demonstrate:

(1) communication and interpersonal skills including the ability to:

(a) understand how to approach communication from a systems perspective including cultural, organizational, technological, and interpersonal perspectives and how to use the system perspective to analyze and direct the choice of communication strategies and forms;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

(b) communicate in a clear, courteous, concise, and correct manner using oral communication skills, informational reading skills, written communication skills, and effective listening skills; and

(c) apply effective human relations and interpersonal skills;

(2) data interpretation and management skills, including the ability to acquire, evaluate, organize, maintain, and interpret and communicate information using both manual and computer technology;

(3) computational skills, including the ability to:

(a) use mathematical procedures to analyze and solve business problems for areas, including taxation; savings and investments; payroll records; cash management; financial statements; credit management; purchases; inventory records; depreciation, cost-recovery, and depletion; and

(b) construct, read, and interpret and make inferences from tables, charts, and graphs;

(4) collaboration and group process skills, including the ability to understand a holistic perspective, develop and communicate group goals, understand the role of the individual in groups, and interpret and process feedback within groups; and

(5) career development and transition skills, including the ability to understand and apply career development theory, the job procurement process, and all forms of communication used in the successful pursuit of a career.

D. A teacher of business understands occupational clusters within business, marketing, and information management sufficient to:

(1) enable students to develop a perspective of career options in the business fields of management, sales and marketing, accounting and finance, information systems, or office management and administrative support;

(2) gain understanding of the basic purposes, issues, skills, nature of work, and major concepts that undergird employment in one or more occupations centrally associated with applying academic business content;

(3) establish activities that allow students to understand individual work in the context of broader business goals;

(4) organize instruction that enables students to more effectively learn how to acquire skills, gain a perspective on a career, and embark on the first job; and

(5) understand the unique characteristics of an entrepreneur and the special skills of entrepreneurship associated with starting, owning, and managing a business.

E. A teacher of business must be able to integrate understanding business with the understanding of pedagogy, students, learning environments, and professional development. The teacher of business to preadolescent and adolescent students must:

(1) understand and apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of preadolescents and adolescents;

(2) understand and apply the research base for and the best practices of middle level and high school education;

(3) know how to develop curriculum goals based on the central concepts of the business and how to apply instructional strategies and materials for achieving student understanding of this discipline;

(4) understand the role and alignment of district, school and department mission and goals in program planning;

(5) understand key legislation germane to business education and school-to-work transition programming;

(6) understand fiscal, budgetary, and purchasing practices that focus on how to organize and equip an effective and efficient classroom including selecting and maintaining instructional materials, supplies, furniture, and technology that are consistent with the current program standards;

(7) understand the need for and how to connect student secondary schooling experiences with the workplace or further educational opportunities;

(8) know how to involve representatives of business, industry, and community organizations as active partners in creating educational opportunities;

(9) understand the role and purpose of cocurricular and extracurricular business activities in the teaching and learning process;

(10) know how to access information relevant to the field of business through consumer, business, and professional organizations, publications, and journals;

(11) know strategies for marketing the business education program, including student recruitment and retention techniques and practices;

(12) know how to develop and apply evaluative criteria for a business curriculum and a plan for continuous improvement;

(13) understand the impact of reading ability on student achievement in business studies, recognize the varying reading comprehension and fluency levels represented by students, and possess the strategies to assist students to read business content materials more effectively; and

(14) apply the standards of effective practice in teaching students through a variety of early and ongoing clinical experiences with middle level and high school students within a range of educational programming models.

Subp. 4. **Continuing licensure.** A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

Subp. 5. **Effective date.** Requirements in this part for licensure as a teacher of business are effective on September 1, 2001, and thereafter.

#### **8710.4250 TEACHERS OF COMMUNICATION ARTS AND LITERATURE.**

Subpart 1. **Scope of practice.** A teacher of communication arts and literature is authorized to provide to students in grades 5 through 12 instruction that is designed to develop skills and understanding in reading, writing, speaking, listening, media literacy, and literature.

Subp. 2. **Licensure requirements.** A candidate for licensure to teach communication arts and literature to students in grades 5 through 12 shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and

C. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of communication arts and literature in subpart 3.

Subp. 3. **Subject matter standard.** A candidate for licensure as a teacher of communication arts and literature must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to C.

A. A teacher of communication arts and literature understands central concepts common to the teaching and learning of communication arts and literature content. The teacher must understand and apply:

(1) language development, cognition, and learning;

(2) the phonological, grammatical, and semantic functions of language;

(3) philosophy and theories of communication arts and literature instruction;

(4) technological resources including software, databases, and networks that can be used to gather, synthesize, create, and communicate knowledge;

(5) language for independent learning and enjoyment;

(6) communication which is clear, fluent, strategic, critical, and creative;

(7) the aesthetic dimensions of communication arts and literature;

(8) strategies that allow appropriate engagement in communication tasks for a variety of purposes and audiences;

(9) the integration of reading, writing, speaking, listening, and viewing;

(10) strategies for selecting and using texts and materials that correlate individual student abilities with developmentally appropriate learning experiences;

(11) strategies for selecting and using texts and materials which recognize and accept a broad range of common and diverse perspectives;

(12) research methods encompassing content;

(13) the social, intellectual, and political importance and impact of communication;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

(14) the meanings of messages, content and relational;

(15) communication and its value in exploring and expressing ideas; and

(16) communication arts and literature activities such as forensics, debate, journalism, literary journals, and related activities.

B. A teacher of communication arts and literature demonstrates understanding and skills essential to the teaching and learning of reading, writing, speaking, listening, media literacy, and literature. The teacher must demonstrate the:

(1) knowledge, skills, and ability to teach reading including:

(a) the interactive and constructive nature of reading comprehension and how it functions in the literal, inferential, and schema-based levels of understanding;

(b) the stages of the reading process so as to model and teach strategies that occur before, during, and after reading;

(c) content area reading strategies to encourage competence and independence for lifelong learning;

(d) comprehension strategies for a variety of purposes to various materials and tasks, including everyday life situations;

(e) the ability to find and synthesize information from a variety of textual and nontextual sources;

(f) the selection and teaching of vocabulary in all settings; and

(g) the use of books and other printed sources for personal growth and lifelong learning;

(2) knowledge, skills, and ability to teach writing including:

(a) various stages of the writing process, including prewriting, writing, conferencing, revising, and publishing used in teaching writing;

(b) diverse strategies for assessing and responding to student writing;

(c) the functions of language and how they influence effective written communication; and

(d) conventions for presenting, arranging, and organizing information in particular genres or media;

(3) knowledge, skills, and ability to teach speaking including:

(a) relationships among the verbal and nonverbal components of the speaking process across a variety of contexts including small group, interpersonal, and public;

(b) methods and steps necessary to construct meaning for participants in both formal and informal speaking situations;

(c) methods of managing and overcoming communication anxiety and apprehension; and

(d) ethical responsibilities of a speaker associated with competent and effective communication in society;

(4) knowledge, skills, and ability to teach listening including:

(a) relationships between and among the components of the listening process;

(b) the different listening skills appropriate for diverse types and levels of listening;

(c) how to identify and manage barriers to listening; and

(d) ethical responsibilities of a listener;

(5) knowledge, skills, and ability to teach media literacy including:

(a) relationships among the elements of the communication process across various types of print and nonprint media;

(b) effects of the various types of electronic audiovisual media on the communication process;

(c) competent participation as a consumer and producer of media communication; and

(d) functional, aesthetic, and ethical values of media communication;

(6) knowledge, skills, and ability to teach literature including:

(a) a repertoire of literary texts, including fiction and nonfiction, classic and contemporary works, and works written for preadolescents and adolescents by a diversity of authors;

(b) characteristics of various literary genres, including poetry, drama, novel, short story, and essays;

(c) tools of interpretation including literary devices, critical theories, and various methods of analysis, interpretation, presentation, and evaluation of literature;

(d) how to help students respond to, interpret, and evaluate texts in a variety of ways, including text centered and reader centered approaches;

(e) how to encourage students to respond to texts through written and oral communication, both privately and publicly;  
(f) how to help students construct meaning out of texts through various processes applied before, during, and after reading;

(g) how context shapes meaning; and

(h) how to encourage students to become lifelong readers and writers.

C. A teacher of communication arts and literature demonstrates an understanding of the teaching of communication arts and literature that integrates understanding of communication arts and literature with their understanding of pedagogy, students, learning, classroom management, and professional development. The teacher of communication arts and literature to preadolescent and adolescent students in grades 5 through 12 shall:

(1) understand and apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of preadolescents and adolescents;

(2) understand and apply the research base for and the best practices of middle level and high school education;

(3) develop curriculum goals and purposes based on the central concepts of communication arts and literature and know how to apply instructional strategies and materials for achieving student understanding of this discipline;

(4) understand the role and alignment of district, school, and department mission and goals in program planning;

(5) understand the need for and how to connect students' schooling experiences with everyday life, the workplace, and further educational opportunities;

(6) know how to involve representatives of business, industry, and community organizations as active partners in creating educational opportunities;

(7) understand the role and purpose of cocurricular and extracurricular activities in the teaching and learning process;

(8) understand the impact of reading ability on student achievement, recognize the varying reading comprehension and fluency levels represented by students, and possess the strategies to assist students to read more effectively; and

(9) apply the standards of effective practice in teaching students through a variety of early and ongoing clinical experiences with middle level and high school students within a range of educational programming models.

**Subp. 4. Continuing license.** A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

**Subp. 5. Effective date.** The requirements of this part for licensure as a teacher of communication arts and literature are effective on September 1, 2001, and thereafter.

#### **8710.4300 TEACHERS OF DANCE AND THEATRE ARTS.**

**Subpart 1. Scope of practice.** A teacher of dance and theatre arts education is authorized to provide to students in kindergarten through grade 12 instruction that is designed to develop an understanding of the creative works and the process of producing dance and theatre art forms.

**Subp. 2. Licensure requirements.** A candidate for licensure to teach dance and theatre arts to students in kindergarten through grade 12 shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and

C. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of dance and theatre arts in subpart 3.

**Subp. 3. Subject matter standard.** A candidate for licensure as a teacher of dance and theatre arts must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A, B, and D or A, C, and D.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

A. All teachers of dance and theatre arts education must demonstrate competency in:

- (1) choreography, improvisation, and in one dance movement genre in the context of performance opportunities;
- (2) the theory and practice of acting and directing in the context of performance opportunities;
- (3) the theory and practice in technical production and creative technology of dance and theater in the context of performance opportunities;
- (4) teaching methods and instructional content of creative dance and creative dramatics;
- (5) comparing and contrasting and using materials, elements, and modes of expression, production, and communication that support the processes of creation, analysis and interpretation, performance or exhibition, inquiry, and creative technology in all the arts;
- (6) comparing and contrasting ways of knowing in the arts with ways of knowing in the humanities, the sciences, and other subject areas; and
- (7) analyzing the economics and career opportunities of arts creation, performance, analysis, and creative technology.

B. A teacher of dance and theatre arts with a dance specialization must demonstrate competency in:

- (1) a selected core dance movement genre through performance or concert opportunities;
- (2) a second dance movement genre in the context of reflective performance opportunities;
- (3) choreography and improvisation through performance or concert opportunities;
- (4) critical analysis and interpretation of the technical and choreographic aspects of performance;
- (5) the historical and aesthetic development of dance in diverse cultures;
- (6) contemporary technological principles, concepts, and tools and communicating the environmental and ethical issues concerning creative technology in dance; and
- (7) analyzing the functional, expressive, and health aspects of the human body.

C. A teacher of dance and theatre arts with a theatre specialization must demonstrate competency in:

- (1) the theories and practices of acting through performance opportunities;
- (2) the theories and practices of stage direction through performance opportunities;
- (3) the process and techniques of creating a dramatic text;
- (4) the critical analysis and interpretation of theater performance;
- (5) contemporary technological principles, concepts and tools and communicating the environmental and ethical issues concerning creative technology in theatre;
- (6) the historical and aesthetic development of theater in diverse cultures; and
- (7) communicating and understanding the dramatic literature of diverse cultures.

D. A teacher of dance and theatre arts must demonstrate an understanding of the teaching of dance and theatre arts that integrates understanding of dance and theatre arts with the teacher's understanding of pedagogy, students, learning, classroom management, and professional development. The teacher of dance and theatre arts shall:

- (1) understand and apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of children, preadolescents, and adolescents;
- (2) understand and apply the research base for and the best practices of kindergarten and primary, intermediate, and middle and high school education;
- (3) develop curriculum goals and purposes based on the central concepts of theatre and dance and know how to apply instructional strategies and materials for achieving student understanding of these disciplines;
- (4) understand the role and alignment of district, school, and department mission and goals in program planning;
- (5) understand the need for and how to connect students' academic experiences with everyday life, the workplace, and further educational opportunities;
- (6) know how to involve representatives of business, industry, and community organizations as active partners in creating educational opportunities;
- (7) understand the role and purpose of cocurricular and extracurricular activities in the teaching and learning process;

(8) understand the impact of reading ability on student achievement in dance and theatre studies, recognize the varying reading comprehension and fluency levels represented by students, and possess the strategies to assist students to read dance and theatre arts content more effectively; and

(9) apply the standards of effective practice in teaching students through a variety of early and ongoing clinical experiences with kindergarten and primary, intermediate, and middle level and high school students within a range of educational programming models.

**Subp. 4. Continuing license.** A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

**Subp. 5. Effective date.** The requirements of this part for licensure as a teacher of dance and theatre arts are effective on September 1, 2001, and thereafter.

#### **8710.4350 TEACHERS OF DRIVER AND TRAFFIC SAFETY.**

**Subpart 1. Scope of practice.** A teacher of driver and traffic safety is authorized to provide to students 15 years of age or older instruction that is designed to develop the skills and understanding essential for acquiring a Minnesota driver's license.

**Subp. 2. Licensure requirements.** A candidate for licensure to teach driver and traffic safety shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and

C. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of driver and traffic safety in subpart 3.

**Subp. 3. Subject matter standard.** A candidate for licensure as a teacher of driver and traffic safety must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to L. The teacher must understand:

A. traffic safety problems;

B. the complexities of the driving task;

C. the research base for and the best practices of teaching driver and traffic safety including strategies for teaching in a laboratory environment;

D. the needs of the new driver as they relate to the organization of classroom and laboratory phases of driver and traffic safety programs in light of contemporary knowledge of adolescent development, psychology, and culture;

E. the components that contribute to the effective design and delivery of the behind-the-wheel phase of driver and traffic safety, including a properly equipped vehicle, an established route, route selection, and entry and exit level assessments of student understandings and skills;

F. the strengths and limitations of various forms of laboratory instruction specific to driver and traffic safety, including behind-the-wheel, multiple vehicle driving range, and simulation, and their application in designing and delivering this instruction;

G. the origins of driver and traffic safety programs and major milestones in the history of driver and traffic safety;

H. the impact of recent trends and issues affecting driver and traffic safety programs;

I. the role of federal, state, and local government agencies and the private sector in providing driver and traffic safety services;

J. how to design driver and traffic safety programs that are in compliance with professional standards and applicable state rules and laws in a manner responsive to the emerging trends impacting driver and traffic safety;

K. the major tasks required of the driver and traffic safety coordinator needed for successful program management; and

L. how to apply the standards of effective practice in teaching students through a variety of early and ongoing clinical experiences within a range of educational programming models.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

Subp. 4. **Continuing license.** A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

Subp. 5. **Effective date.** The requirements in this part for licensure as a teacher of driver and traffic safety are effective on September 1, 2001, and thereafter.

### **8710.4400 TEACHERS OF ENGLISH AS A SECOND LANGUAGE.**

Subpart 1. **Scope of practice.** A teacher of English as a second language is authorized to provide to students in kindergarten through grade 12 instruction that is designed to provide English language instruction to students whose English proficiency is not sufficient to benefit from the curriculum through mainstream instruction in English or to collaborate and consult with other classroom teachers for the purpose of integrating language and content teaching for students with limited English proficiency.

Subp. 2. **Licensure requirements.** A candidate for licensure to teach English as a second language to students in kindergarten through grade 12 shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and

C. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of English as a second language in subpart 3.

Subp. 3. **Subject matter standard.** A candidate for licensure as a teacher of English as a second language must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to J.

A. An English as a second language teacher demonstrates a high level of proficiency in English commensurate with the role of an instructional model and develops an awareness of the process of formal language learning by learning a second language through two years of second language instruction in a high school setting or one year of second language instruction in a postsecondary setting, or the equivalent.

B. An English as a second language teacher understands a variety of methods, techniques, and program models suitable for second language instruction with diverse learners including adapting existing materials to meet the needs of the students with limited English proficiency. The teacher must:

(1) demonstrate an understanding of the importance of using multiple forms of instructional approaches to address different learning styles, background experiences, and performance modes of limited English proficiency students;

(2) be able to adopt appropriate learning materials and adapt teaching strategies to meet the second language needs of students with limited English proficiency in a school setting; and

(3) understand the developmental progression and range of individual variation of students with limited English proficiency in the context in which taught.

C. An English as a second language teacher uses various content-based methodologies and integrates language acquisition and use of language functions across learning experiences to facilitate full inclusion of students with limited English proficiency in the school setting. The teacher must:

(1) understand how limited English proficiency affects learning; and

(2) understand that both language learning and subject matter content are essential to student success in an academic setting.

D. An English as a second language teacher demonstrates the ability to communicate successfully with students, parents, colleagues, and community members. The teacher must:

(1) understand that cultural practices may differ and that these differences may affect the way students learn;

(2) understand schools as organizations within the larger community context and that successful communication with parents must be undertaken within that larger sociocultural framework;

(3) understand how the student's environment, including family circumstances, community systems, and health and economic conditions, may influence learning; and

(4) work with other professionals to improve the quality of educational services provided to students with limited English proficiency.

E. An English as a second language teacher demonstrates an understanding of communication instruction in the second language context and the importance of developing communication skills in listening, speaking, reading, and writing across the curriculum. The teacher must:

(1) understand the differences between literacy development in the first language and the second language, and the implications for teaching second language learners;

(2) understand how to develop communication skills in listening, speaking, reading, and writing as an important contributor to academic success across the curriculum; and

(3) understand and use a variety of communication techniques and be able to use verbal, nonverbal, and multimedia and other technology based resources that enhance student learning.

F. An English as a second language teacher understands and uses formal and informal second language assessment techniques to determine appropriate placement and to evaluate the progress of students with limited English proficiency. The teacher knows and uses criteria for determining the readiness of students to enter and exit limited English proficiency programs. The teacher must:

(1) understand the characteristics, uses, advantages, and limitations of formal and informal second language assessment techniques;

(2) understand the limitations of using traditional assessment procedures in the identification and placement of students with limited English proficiency in academic programs, including gifted and special education programs;

(3) understand second language assessment including item and test construction methods appropriate for students with limited English proficiency; and

(4) know how to administer, interpret, and explain the results of standardized tests and alternative methods of assessment to students with limited English proficiency, the students' parents, and to colleagues.

G. An English as a second language teacher understands the contributions of general and applied linguistics to second language education. The teacher must:

(1) understand basic linguistic concepts;

(2) understand features of English including phonology, morphology, syntax, and semantics;

(3) relate knowledge of English to other languages; and

(4) understand the history and development of the English language.

H. An English as a second language teacher understands the fundamentals of the first and second language acquisition processes and their similarities and differences. The teacher must:

(1) understand the processes of first and second language acquisition; and

(2) understand that there are similarities and differences between child, adolescent, and adult language acquisition.

I. An English as a second language teacher is aware of how the historical, social, and political aspects of language and cultural patterns in the United States influence second language instruction. The teacher must:

(1) understand cultural pluralism in the United States, how cultural and social differences are reflected;

(2) be knowledgeable about the sociolinguistic dynamics of the cultures of the United States; and

(3) understand how cultural, linguistic, ethnic, regional, and gender differences affect communication in the classroom.

J. An English as a second language teacher must demonstrate an understanding of the teaching of English as a second language that integrates understanding of English as a second language with the teacher's understanding of pedagogy, students, learning, classroom management, and professional development. The teacher of English as a second language in kindergarten through grade 12 must:

(1) understand and apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of children, preadolescents, and adolescents;

(2) understand and apply the research base for and the best practices of kindergarten and primary, intermediate, and middle level and high school education;

(3) develop curriculum goals and purposes based on the central concepts of English as a second language and know how to apply instructional strategies and materials for achieving student understanding;

(4) understand the role and alignment of district, school, and department mission and goals in program planning;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

(5) understand the need for and how to connect students' schooling experiences with everyday life, the workplace, and further educational opportunities;

(6) know how to involve representatives of business, industry, and community organizations as active partners in creating educational opportunities;

(7) understand the role and purpose of cocurricular and extracurricular activities in the teaching and learning process; and

(8) apply the standards of effective practice in teaching students through a variety of early and ongoing clinical experiences with kindergarten and primary, intermediate, and middle level and high school students within a range of educational programming models.

**Subp. 4. Continuing license.** A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

**Subp. 5. Effective date.** The requirements of this part for licensure as a teacher of English as a second language are effective on September 1, 2001, and thereafter.

### **8710.4450 TEACHERS OF FAMILY AND CONSUMER SCIENCES.**

**Subpart 1. Scope of practice.** A teacher of family and consumer sciences is authorized to provide to students in grades 5 through 12 instruction that is designed to prepare students for family life and the interrelationships between family, community, and work.

**Subp. 2. Licensure requirements.** A candidate for licensure to teach family and consumer sciences to students in grades 5 through 12 shall:

**A.** hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

**B.** demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and

**C.** show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of family and consumer sciences in subpart 3.

**Subp. 3. Subject matter standard.** A candidate for licensure as a teacher of family and consumer sciences must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to D.

**A.** A teacher of family and consumer sciences understands how the family functions and develops within the home environment. The teacher must understand:

(1) reciprocal influences between the family and family members to the workplace;

(2) family structures, functions, relationships, and dynamics;

(3) parenting as a process through the life cycle;

(4) physiological, psychological, and social aspects of sexual development throughout the life span;

(5) management of household and natural resources to achieve personal and family goals including food, clothing, shelter, recreation, transportation, education, and investments;

(6) the influence of ethics on personal, family, and consumer decisions;

(7) decision-making models within the context of problem solving in the home environment and the extension to the community;

(8) the developmental changes of individuals across the life span and ways to meet their corresponding physical, emotional, cognitive, social, and moral development needs;

(9) how to identify and meet personal and family needs and wants for shelter and clothing to include finding, selecting, and maintaining suitable housing and the role of aesthetics and design in textiles, apparel, and interiors;

(10) nutrition planning and food preparation, handling, and storage for personal and family safety and well-being; and

(11) stress factors that affect the family including multigenerational households, family members with special needs, dual careers, economic uncertainty, violence, substance abuse, resolving conflict, and death.

**B.** A teacher of family and consumer sciences understands the interrelatedness of family and community. The teacher must understand:

(1) the effects of social and technological changes on families;

(2) value systems within the family and their relationship to social consequences and public policy;

(3) cultural and ethnic variations in families;

- (4) rights and responsibilities of children, parents or guardians, grandparents, and others;
- (5) variations in parenting practices;
- (6) how to access community resources to solve family problems;
- (7) reciprocal influences of the major social institutions, including governmental and educational, on the family;
- (8) the impact of historical, environmental, and cultural influences on living environments, textiles, and interior design;
- (9) global food sources and their impact on the community; and
- (10) cultural and political aspects of food distribution and consumption.

C. A teacher of family and consumer sciences understands career development in related services occupations. As a result of both school-based and work-based learning experiences, the teacher must understand:

- (1) career decision-making process including self-awareness, career research, workplace expectations, career strategies, goal setting, school-to-work transition, and lifelong learning;
- (2) the basic purposes, issues, skills, nature of work, and competencies in one or more of the following related service occupations: Family and Community Support Services; Consumer Resources Management; Early Childhood and Educational Services; Apparel and Textile Design, Manufacturing, and Merchandising; Interior Design and Furnishings; Management and Maintenance of Facilities; Hospitality, Tourism, and Recreation; Food Science, Dietetics, and Nutrition; and Food Production Services;
- (3) the impact of consumer practices, laws, global economics, and conservation or recycling on the service occupations;
- (4) uses and influences of technology in related service occupations;
- (5) the impact of interpersonal skills on the work environment; and
- (6) how families contribute to the preparation of family members for the work environment.

D. A teacher of family and consumer sciences understands the teaching of family and consumer sciences that integrates understanding of family and consumer sciences with the teacher's understanding of pedagogy, students, learning, classroom management, and professional development. The teacher of family and consumer sciences to preadolescent and adolescent students must:

- (1) understand and apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of preadolescents and adolescents;
- (2) understand and apply the research base for and the best practices of middle level and high school education;
- (3) develop curriculum goals and purposes based on the central concepts of family and consumer sciences and know how to apply instructional strategies and materials;
- (4) understand the role and alignment of district, school, and department mission and goals in program planning;
- (5) understand the need for and how to connect students' schooling experiences with everyday life, the workplace, and further educational opportunities;
- (6) know how to involve representatives of business, industry, and community organizations as active partners in creating educational opportunities;
- (7) understand the role and purpose of cocurricular and extracurricular activities in the teaching and learning process;
- (8) understand the impact of reading ability on student achievement in family and consumer sciences, recognize the varying reading comprehension and fluency levels represented by students, and possess the strategies to assist students to read family and consumer sciences content more effectively;
- (9) understand laboratory management practices and procedures;
- (10) understand the impact of public policy on curriculum;
- (11) know fiscal, budgetary, and purchasing practices for operating a comprehensive family and consumer sciences educational program;
- (12) know marketing techniques for student recruitment and retention in family and consumer sciences programs; and

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

(13) apply the standards of effective practice in teaching students through a variety of early and ongoing clinical experiences with middle level and high school students within a range of educational programming models.

Subp. 4. **Continuing license.** A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

Subp. 5. **Effective date.** The requirements of this part for licensure as a teacher of family and consumer sciences are effective on September 1, 2001, and thereafter.

### **8710.4500 TEACHERS OF HEALTH.**

Subpart 1. **Scope of practice.** A teacher of health is authorized to provide to students in grades 5 through 12 instruction that is designed to develop the knowledge and skills necessary to practice healthy behaviors.

Subp. 2. **Licensure requirements.** A candidate for licensure to teach health to students in grades 5 through 12 shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and

C. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of health in subpart 3.

Subp. 3. **Subject matter standard.** A candidate for licensure as a teacher of health must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to H.

A. A teacher of health understands behaviors and factors that:

(1) prevent or reduce the risk of accidents, sudden illness, and violent injuries;

(2) prevent or reduce the risk of tobacco use or alcohol and other drug abuse;

(3) prevent or reduce the risk of HIV infection and AIDS, sexually transmitted diseases, and unintentional pregnancy; and

(4) contribute to sufficient physical activity and promote health-enhancing dietary practices.

B. A teacher of health understands concepts related to health promotion and disease prevention including:

(1) the need for and role of a philosophy of health, health education, and health promotion;

(2) primary, secondary, and tertiary prevention;

(3) components of comprehensive school health programs and interrelationships among components;

(4) behaviors that foster and those that hinder well-being; and

(5) physical, social, emotional, and intellectual factors that influence health.

C. A teacher of health understands how to access valid health information and health-promoting products and services including:

(1) selecting and evaluating the validity of sources of health education information;

(2) identifying and accessing appropriate and cost-effective school and community health services;

(3) identifying and evaluating appropriate lifestyle assessments and health-risk appraisals;

(4) using or developing appropriate data gathering instruments to include national, state, or district level morbidity, mortality, behavioral risk, and needs assessment data; and

(5) articulating research and public policy regarding health issues.

D. A teacher of health understands health-enhancing behaviors that reduce health risks including:

(1) the short-term and long-term consequences of positive and negative health choices;

(2) the relationship between and among the major health determinants of genetics, environments, health care, and personal behavior;

(3) the importance of individual responsibility for health; and

(4) strategies to reduce and prevent stress-related health problems.

E. A teacher of health understands the effects of advertising, media, technology, and social norms on health behaviors.

F. A teacher of health understands how to use interpersonal communication skills to enhance health including:

(1) models and strategies for teaching communication skills for expressing needs, wants, and feelings; communicating, care, consideration, and respect of self and others; conflict resolution; refusal skills; and

(2) strategies for facilitating dialogue related to controversial health issues.

G. A teacher of health understands how to use goal-setting and decision-making skills to enhance health including:

(1) age appropriate decision-making and goal-setting models;

(2) applying decision-making and goal-setting processes to personal health choices;

(3) the components of and processes for the development and implementation of personal health plans; and

(4) predicting the immediate and long-range impact of health decisions on the individual, family, and the community.

H. A teacher of health demonstrates an understanding of the teaching of health that integrates understanding of health with the understanding of pedagogy, students, learning, classroom management, and professional development. The teacher of health to preadolescent and adolescent students must:

(1) understand and apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of preadolescents and adolescents;

(2) understand and apply the research base for and the best practices of middle and high school education;

(3) develop curriculum goals and purposes based on the central concepts of health and know how to apply instructional strategies and materials for achieving student understanding of this discipline;

(4) understand the role and alignment of district, school, and department mission and goals in program planning;

(5) understand the need for and how to connect students' schooling experiences with everyday life, the workplace, and further educational opportunities;

(6) know how to involve representatives of business, industry, and community organizations as active partners in creating educational opportunities;

(7) understand the role and purpose of cocurricular and extracurricular activities in the teaching and learning process;

(8) understand the impact of reading ability on student achievement in health studies, recognize the varying reading comprehension and fluency levels represented by students, and possess the strategies to assist students to read health materials effectively; and

(9) apply the standards of effective practice in teaching students through a variety of early and ongoing clinical experiences with middle level and high school students within a range of educational programming models.

Subp. 4. **Continuing license.** A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

Subp. 5. **Effective date.** The requirements in this part for licensure as a teacher of health are effective on September 1, 2001, and thereafter.

#### **8710.4550 LIBRARY MEDIA SPECIALISTS.**

Subpart 1. **Scope of practice.** A library media specialist is authorized to provide to students in kindergarten through grade 12 instruction that is designed to provide information skills instruction, to collaborate and consult with other classroom teachers for the purpose of integrating information skills and technology tools with content teaching, and to administer media center operations, programming, and resources.

Subp. 2. **Licensure requirements.** A candidate for licensure as a library media specialist shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and

C. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of library media specialists in subpart 3.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

Subp. 3. Subject matter standard. A candidate for licensure as a library media specialist must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to E.

A. A library media specialist develops and implements an information media program that reflects the vision, mission, and goals of the school. The specialist must:

- (1) identify and apply current educational research, theory, and practice;
- (2) use a research and knowledge base to determine the role of information media; and
- (3) collaborate in developing short-range and long-range plans for the information media program.

B. A library media specialist develops and implements an information media program that is an integral part of the total curriculum. The specialist must:

- (1) participate in curriculum development with teachers across grade levels and disciplines;
- (2) plan and conduct a sequential integrated program of instruction in the use of information;
- (3) collaborate with teachers of early childhood through adult students to design, implement, and assess learning activities to meet specific learning objectives;
- (4) guide students in locating, processing, critically evaluating, and communicating information and to assess the processes and products of the learning;
- (5) provide reading, viewing, and listening guidance appropriate to the students' interests, goals, needs, and abilities;
- (6) provide leadership and staff development in effective use of technologies, strategies, and resources;
- (7) assist teachers in the selection and evaluation of resources;
- (8) consider the developmentally appropriate level, format, and curricular objectives in the design and production of media; and
- (9) formulate and conduct student learning activities that integrate the use of information media tools.

C. A library media specialist develops and implements information media program policies and procedures consistent with principles of professional practice and appropriate to the mission and goals of the school and district. The specialist must:

- (1) monitor needs, usage, and trends to structure and justify program budgets;
- (2) administer program budgets in a fiscally sound manner;
- (3) develop a collection based on curriculum and learner needs;
- (4) acquire, process, organize, maintain, circulate, and inventory resources;
- (5) identify and acquire resources beyond the media center to expand information access;
- (6) identify personnel needs and supervise personnel;
- (7) consult and participate in the planning of the media center facility;
- (8) consult and participate in the design of school facilities so that learning technologies can be used;
- (9) evaluate program, facilities, and resource collections;
- (10) develop and monitor information technology policies and procedures to protect constitutional and statutory rights; and
- (11) establish and maintain a learning environment in the media center.

D. A library media specialist initiates and maintains motivating environments that foster the continued professional growth of the learning community. The specialist must:

- (1) model and teach responsible and ethical access to and use of information;
- (2) interpret and promote the information media program;
- (3) disseminate pertinent information about educational and technological trends and legal developments; and
- (4) provide leadership in incorporating research referenced innovations.

E. A library media specialist must demonstrate an understanding of the teaching of information media that integrates understanding of information media with the understanding of pedagogy, students, learning, classroom management, and professional development. The library media specialist for children, preadolescents, and adolescents shall:

- (1) understand and apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of children, preadolescents, and adolescents;

(2) understand and apply the research base for and the best practices of kindergarten and primary, intermediate, and middle and high school education;

(3) develop curriculum goals and purposes based on the central concepts of information media and know how to apply instructional strategies and materials for achieving student understanding of this discipline;

(4) understand the role and alignment of district, school, and department mission and goals in program planning;

(5) understand the need for and how to connect students' schooling experiences with everyday life, the workplace, and further educational opportunities;

(6) know how to involve representatives of business, industry, and community organizations as active partners in creating educational opportunities;

(7) understand the role and purpose of cocurricular and extracurricular activities in the teaching and learning process;

(8) understand the impact of reading ability on student achievement in information media, recognize the varying reading comprehension and fluency levels represented by students, and possess the strategies to assist students to read library and media materials effectively; and

(9) apply the standards of effective practice in teaching students through a variety of early and ongoing clinical experiences with kindergarten and primary, intermediate, middle level, and high school students within a range of educational programming models.

Subp. 4. **Continuing license.** A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

Subp. 5. **Effective date.** Requirements in this part for licensure as a library media specialist are effective on September 1, 2001, and thereafter.

#### **8710.4600 TEACHERS OF MATHEMATICS.**

Subpart 1. **Scope of practice.** A teacher of mathematics is authorized to provide to students in grades 5 through 12 instruction that is designed to develop understanding and skill in mathematical content and perspectives.

Subp. 2. **Licensure requirements.** A candidate for licensure to teach mathematics in grades 5 through 12 shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and

C. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of mathematics in subpart 3.

Subp. 3. **Subject matter standard.** A candidate for licensure as a teacher of mathematics must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to I.

A. A teacher of mathematics understands patterns, relations, functions, algebra, and basic concepts underlying calculus from both concrete and abstract perspectives and is able to apply this understanding to represent and solve real world problems. The teacher of mathematics must demonstrate knowledge of the following mathematical concepts and procedures and the connections among them:

(1) recognize, describe, and generalize patterns and build mathematical models to describe situations, solve problems, and make predictions;

(2) analyze the interaction between quantities and variables to model patterns of change and use appropriate representations including tables, graphs, matrices, words, ordered pairs, algebraic expressions, algebraic equations, and verbal descriptions;

(3) represent and solve problem situations that involve variable quantities and use appropriate technology;

(4) understand patterns present in number systems and apply these patterns to further investigations;

(5) apply properties of boundedness and limits to investigate problems involving sequences and series;

(6) apply concepts of derivatives to investigate problems involving rates of change;

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

(7) apply concepts and standard mathematical representations from differential, integral and multivariate calculus; linear algebra, including vectors and vector spaces; and transformational operations to solve problems; and

(8) apply properties of group and field structures to mathematical investigations.

B. A teacher of mathematics understands the discrete processes from both concrete and abstract perspectives and is able to identify real world applications; the differences between the mathematics of continuous and discrete phenomena; and the relationships involved when discrete models or processes are used to investigate continuous phenomena. The teacher of mathematics must demonstrate knowledge of the following mathematical concepts and procedures and the connections among them:

(1) the application of discrete models to problem situations using appropriate representations such as sequences, vertex-edge graphs and trees, matrices, and arrays;

(2) application of systematic counting techniques to problem situations including determination of the existence of a solution, the determination of the number of possible solutions, or the optimal solution;

(3) application of discrete mathematics strategies, for example, pattern searching, organization of information, sorting, case-by-case analysis, iteration and recursion, and mathematical induction, to investigate, solve, and extend problems;

(4) exploration, development, analysis, and comparison of algorithms designed to accomplish a task or solve a problem;

(5) application of additional discrete strategies including symbolic logic and linear programming;

(6) matrices as a mathematical system and matrices and matrix operations as tools to record information and find solutions of systems of equations; and

(7) analysis of iterative and recursive algorithms to estimate the time needed in order to execute the algorithms for data likely to be encountered in problem situations.

C. A teacher of mathematics understands that number sense is the underlying structure that ties mathematics into a coherent field of study, rather than an isolated set of rules, facts, and formulae. The teacher of mathematics must demonstrate knowledge of the following mathematical concepts and procedures and the connections among them:

(1) an intuitive sense of numbers including a sense of magnitude, mental mathematics, place value, and a sense of reasonableness of results;

(2) an understanding of number systems, their properties and relations including whole numbers, integers, rational numbers, real numbers, and complex numbers;

(3) translation among equivalent forms of numbers to facilitate problem solving;

(4) application of appropriate methods of estimation of quantities and evaluation of the reasonableness of estimates;

(5) a knowledge of elementary operations, application of properties of operations, and the estimation of results;

(6) geometric and polar representation of complex numbers and the interpretation of complex solutions to equations;

(7) algebraic and transcendental numbers;

(8) numerical approximation techniques as a basis for numerical integration, numerical-based proofs, and investigation of fractals; and

(9) number theory divisibility, properties of prime and composite numbers, and the Euclidean algorithm.

D. A teacher of mathematics understands geometry and measurement from both abstract and concrete perspectives and is able to identify real world applications and to use geometric learning tools and models, including geoboards, compass and straight edge, rules and protractor, patty paper, reflection tools, spheres, and platonic solids. The teacher of mathematics must demonstrate knowledge of the following mathematical concepts and procedures and the connections among them:

(1) shapes and the ways shapes can be derived and described in terms of dimension, direction, orientation, perspective, and relationships among these properties;

(2) spatial sense and the ways shapes can be visualized, combined, subdivided, and changed to illustrate concepts, properties, and relationships;

(3) spatial reasoning and the use of geometric models to represent, visualize, and solve problems;

(4) motion and the ways in which rotation, reflection, and translation of shapes can illustrate concepts, properties, and relationships;

(5) formal and informal argument, including the processes of making assumptions; formulating, testing, and reformulating conjectures; justifying arguments based on geometric figures; and evaluating the arguments of others;

(6) plane, solid, and coordinate geometry systems including relations between coordinate and synthetic geometry, and generalizing geometric principles from a two-dimensional system to a three-dimensional system;

(7) attributes of shapes and objects that can be measured, including length, area, volume, capacity, size of angles, weight, and mass;

(8) the structure of systems of measurement, including the development and use of measurement systems and the relationships among different systems;

(9) measuring, estimating, and using measurements to describe and compare geometric phenomena;

(10) systems of geometry, including Euclidean, non-Euclidean, coordinate, transformational, and projective geometry;

(11) transformations, coordinates, and vectors, including polar and parametric equations, and the use of these in problem solving;

(12) three-dimensional geometry and its generalization to other dimensions;

(13) topology, including topological properties and transformations;

(14) extend informal argument to include more rigorous proofs; and

(15) extend work with two-dimensional right triangles including unit circle trigonometry.

E. A teacher of mathematics uses a variety of conceptual and procedural tools for collecting, organizing, and reasoning about data; applies numerical and graphical techniques for representing and summarizing data; and interprets and draws inferences from these data and makes decisions in a wide range of applied problem situations. The teacher of mathematics must demonstrate knowledge of the following mathematical concepts and procedures and the connections among them:

(1) data and its power as a way to explore questions and issues in our world;

(2) investigation through data including formulating a problem; devising a plan to collect data; and systematically collecting, recording, and organizing data;

(3) data representation to describe data distributions, central tendency, and variance through appropriate use of graphs, tables, and summary statistics;

(4) analysis and interpretation of data, including summarizing data, and making or evaluating arguments, predictions, recommendations, or decisions based on an analysis of the data; and

(5) descriptive and inferential statistics, including validity and reliability.

F. A teacher of mathematics understands how to reduce the uncertainties through predictions based on empirical or theoretical probabilities. The teacher of mathematics must demonstrate knowledge of the following mathematical concepts and procedures and the connections among them:

(1) inference, and the role of randomness and sampling in statistical claims about populations;

(2) probability as a way to describe chance or risk in simple and compound events;

(3) predicting outcomes based on exploration of probability through data collection, experiments, and simulations;

(4) predicting outcomes based on theoretical probabilities, and comparing mathematical expectations with experimental results;

(5) random variable and the application of random variable to generate and interpret probability distributions;

(6) probability theory and the link of probability theory to inferential statistics; and

(7) discrete and continuous probability distributions as a basis for making inferences about population.

G. A teacher of mathematics is able to reason mathematically, solve problems mathematically, and communicate in mathematics effectively at different levels of formality and knows the connections among mathematical concepts and procedures as well as their application to the real world. The teacher of mathematics must be able to:

(1) solve problems in mathematics by:

(a) formulating and posing problems;

(b) solving problems using different strategies, verifying and interpreting results, and generalizing the solution;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

(c) using problem solving approaches to investigate and understand mathematics; and

(d) applying mathematical modeling to real world situations;

(2) reason in mathematics by:

(a) examining patterns, abstracting and generalizing based on the examination, and making convincing mathematical arguments;

(b) framing mathematical questions and conjectures, formulating counter-examples, and constructing and evaluating arguments; and

(c) using intuitive, informal exploration, and formal proof.

(3) communicate in mathematics by:

(a) expressing mathematical ideas orally, visually, and in writing;

(b) using the power of mathematical language, notation, and symbolism; and

(c) translating mathematical ideas into mathematical language, notations, and symbols; and

(4) make mathematical connections by:

(a) demonstrating the interconnectedness of the concepts and procedures of mathematics;

(b) making connections between mathematics and other disciplines;

(c) making connections between mathematics and daily living; and

(d) making connections between equivalent representations of the same concept.

H. A teacher of mathematics must:

(1) understand the historical bases of mathematics, including the contributions made by individuals and cultures, and the problems societies faced that gave rise to mathematical systems;

(2) recognize that there are multiple mathematical world views and how the teacher's own view is similar to or different from that of the students;

(3) understand the overall framework of mathematics including the:

(a) processes and consequences of expanding mathematical systems;

(b) examination of the effects of broad ideas, including operations or properties, as these ideas are applied to various systems;

(c) examination of the same object from different perspectives; and

(d) investigation of the logical reasoning that takes place within a system; and

(4) understand the role of technology, manipulatives, and models in mathematics.

I. A teacher of mathematics must demonstrate an understanding of the teaching of mathematics that integrates understanding of mathematics with the understanding of pedagogy, students, learning, classroom management, and professional development. The teacher of mathematics to preadolescent and adolescent students shall:

(1) understand and apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of preadolescents and adolescents;

(2) understand and apply the research base for and the best practices of middle level and high school education;

(3) develop curriculum goals and purposes based on the central concepts of mathematics and know how to apply instructional strategies and materials for achieving student understanding of this discipline;

(4) understand the role and alignment of district, school, and department mission and goals in program planning;

(5) understand the need for and how to connect students' schooling experiences with everyday life, the workplace, and further educational opportunities;

(6) know how to involve representatives of business, industry, and community organizations as active partners in creating educational opportunities;

(7) understand the role and purpose of cocurricular and extracurricular activities in the teaching and learning process;

(8) understand the impact of reading ability on student achievement in mathematics, recognize the varying reading comprehension and fluency levels represented by students, and possess the strategies to assist students to read mathematical content materials more effectively; and

(9) apply the standards of effective practice in teaching students through a variety of early and ongoing clinical experiences with middle level and high school students within a range of educational programming models.

**Subp. 4. Continuing license.** A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

**Subp. 5. Effective date.** Requirements in this part for licensure as a teacher of mathematics are effective on September 1, 2001, and thereafter.

### **8710.4650 TEACHERS OF VOCAL MUSIC AND OF INSTRUMENTAL MUSIC.**

**Subpart 1. Scope of practice.** A teacher of vocal music is authorized to provide to students in kindergarten through grade 12 instruction that is designed to develop vocal music competence and understanding of general music history, theory, and practice. A teacher of instrumental music is authorized to provide to students in kindergarten through grade 12 instruction that is designed to develop instrumental music competence and understanding of general music history, theory, and practice.

**Subp. 2. Licensure requirements.** A candidate for licensure to teach vocal music or instrumental music to students in kindergarten through grade 12 shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and

C. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of vocal music and of instrumental music.

**Subp. 3. Subject matter standard.** A candidate for licensure as a teacher of vocal music or instrumental music must complete a program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A, B, and D or A, C, and D.

A. All music teachers must have the ability to:

(1) identify and analyze representative musical forms, styles, performance contexts, performance media, and composers and compositions of western music, and describe the musical traditions, context, and characteristics of diverse and representative world cultures;

(2) demonstrate a basic knowledge of vocal development and production and instrumental techniques and acoustics;

(3) perform simple keyboard accompaniments and play parts from a musical score;

(4) demonstrate basic skills and techniques for playing typical classroom instruments including recorder or fretted instruments;

(5) demonstrate competence in improvising, composing, and arranging music examples for diverse developmental and ability groupings represented by students;

(6) demonstrate physical response to music through movement or dance;

(7) identify and reproduce intervals, scales, and chord structures;

(8) demonstrate a basic knowledge of approaches to general music instruction, materials, and literature for students of varying abilities;

(9) demonstrate the understandings and skills necessary to choose appropriate current technology and integrate its use into instruction for music classroom and ensemble settings in kindergarten through grade 12; and

(10) demonstrate a basic knowledge of the interrelationship of music with other art forms and disciplines.

B. A teacher of vocal music must:

(1) demonstrate advanced vocal ensemble performance and advanced solo performance with the voice, keyboard, or guitar and demonstrate musical accuracy and expressiveness using music examples from diverse styles and time periods;

(2) demonstrate ability to accompany a vocal ensemble on a keyboard instrument;

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

(3) interpret choral music scores with an understanding of range, tessitura, phrasing, diction, and articulation;

(4) interpret vocal and instrumental scores and understand percussion, string, or wind instrument requirements necessary for interpreting and producing music from scores;

(5) know vocal and choral instructional materials and solo and ensemble repertoire, representing diverse periods and cultures, and beginning, intermediate, and advanced levels from kindergarten through grade 12;

(6) demonstrate understandings and skills of vocal performance pedagogy and vocal health, including the child voice and the changing voice;

(7) rehearse and conduct small and large vocal and choral performance ensembles; and

(8) improvise using keyboard or voice.

### C. A teacher of instrumental music must:

(1) demonstrate advanced solo and ensemble performance on at least one instrument of the keyboard, percussion, string, or wind families and demonstrate musical accuracy and expressiveness using music examples from diverse styles and time periods;

(2) interpret scores designed for instrumental ensembles and understand bowing, fingering, or articulation specific to percussion, string, and wind instruments;

(3) interpret combined vocal and instrumental scores and understand vocal requirements necessary for interpreting and producing music from scores;

(4) know instrumental instructional materials and solo and ensemble repertoire, representing diverse periods and cultures, and beginning, intermediate, and advanced levels;

(5) demonstrate understandings and skills or performance pedagogy for percussion, string, and wind instruments;

(6) rehearse and conduct small and large instrumental ensembles;

(7) improvise by means of a keyboard, percussion, string, or wind instrument; and

(8) understand the fundamentals of the construction, operation, and repair of percussion, string, and wind instruments.

D. All teachers of music must demonstrate an understanding of the teaching of music that integrates understanding of pedagogy, students, learning, classroom management, and professional development. The teacher of music shall:

(1) understand and apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of children, preadolescents, and adolescents;

(2) understand and apply the research base for and the best practices of kindergarten or primary, intermediate, and middle level and high school education;

(3) develop curriculum goals and purposes based on the central concepts of vocal or instrumental music and know how to apply instructional strategies and materials for achieving student understanding of this discipline;

(4) understand the role and alignment of district, school, and department mission and goals in program planning;

(5) understand the need for and how to connect students' schooling experiences with everyday life, the workplace, and further educational opportunities;

(6) know how to involve representatives of business, industry, and community organizations as active partners in creating educational opportunities;

(7) understand the role and purpose of cocurricular and extracurricular activities in the teaching and learning process;

(8) understand the impact of reading ability on student achievement in music, recognize the varying reading comprehension and fluency levels represented by students, and possess the strategies to assist students to read music content materials more effectively; and

(9) apply the standards of effective practice in teaching students through a variety of early and ongoing clinical experiences with kindergarten or primary, intermediate, middle level, and high school students within a range of educational programming models.

Subp. 4. Continuing license. A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

Subp. 5. Effective date. The requirements of this part for licensure as a teacher of vocal music or of instrumental music are effective on September 1, 2001, and thereafter.

**8710.4700 TEACHERS OF PHYSICAL EDUCATION.**

Subpart 1. Scope of practice. A teacher of physical education is authorized to provide to students in kindergarten through grade 12 instruction that is designed to enhance physical growth and development through learning to move and learning through movement.

Subp. 2. Licensure requirements. A candidate for licensure to teach physical education to students in kindergarten through grade 12 shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and

C. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of physical education.

Subp. 3. Subject matter standard. A candidate for licensure as a teacher of physical education must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to C.

A. A teacher of physical education understands and applies the skills necessary to perform varied physical activities including:

(1) essential elements and sequencing of basic motor skills;

(2) individual, dual, and team activities; lifetime fitness activities; fundamental gymnastics; rhythms and dance, for example, singing games and folk, square, ballroom, creative, contemporary, and modern dance; low organization, lead up, and cooperative games; aquatics; aerobics, body mechanics, conditioning exercises, and strength training;

(3) appropriate instructional cues and prompts for basic motor skills and physical activity; and

(4) how to support and encourage learner expression through movement.

B. A teacher of physical education understands disciplinary knowledge of physical activities and well-being, including:

(1) the organic, skeletal, and neuromuscular structures of the human body and how these structures adapt and contribute to physical activity, motor performance, fitness, and wellness;

(2) concepts and strategies related to physical activity and fitness;

(3) disciplinary concepts and principles to skillful movement and physical activity;

(4) interdisciplinary learning experiences that allow students to integrate knowledge, skills, and methods of inquiry from multiple subject areas;

(5) organization and administration of physical education programs;

(6) etiquette, sportsmanship, and officiating;

(7) selection and use of appropriate supplies and equipment;

(8) safety issues to consider when planning and implementing instruction;

(9) appropriate emergency procedures;

(10) safety, CPR, first aid procedures, and prevention and care of injuries;

(11) the relationship among physical activity, fitness, and health including developmental adaptive physical education programs;

(12) historical, philosophical, sociological, and psychological factors associated with varied physical activities; and

(13) health-related concepts, concerns, assumptions, debates, processes of inquiry, and personal hygiene central to the study of physical activity.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

C. A teacher of physical education must demonstrate an understanding of the teaching of physical education that integrates understanding of physical education with the understanding of pedagogy, students, learning, classroom management, and professional development. The teacher of physical education to children, preadolescents, and adolescents must:

(1) understand and apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of children, preadolescents, and adolescents;

(2) understand and apply the research base for and the best practices of kindergarten and primary, intermediate, and middle and high school education;

(3) develop curriculum goals and purposes based on the central concepts of physical education and know how to apply instructional strategies and materials for achieving student understanding of this discipline;

(4) understand the role and alignment of district, school, and department mission and goals in program planning;

(5) understand the need for and how to connect students' schooling experiences with everyday life, the workplace, and further educational opportunities;

(6) know how to involve representatives of business, industry, and community organizations as active partners in creating educational opportunities;

(7) understand the role and purpose of cocurricular and extracurricular activities in the teaching and learning process;

(8) understand the impact of reading ability on student achievement in physical education studies, recognize the varying reading comprehension and fluency levels represented by students, and possess the strategies to assist students to read physical education content materials more effectively; and

(9) apply the standards of effective practice in teaching students through a variety of early and ongoing clinical experiences with kindergarten and primary, intermediate, middle level, and high school students within a range of educational programming models.

Subp. 4. Continuing license. A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

Subp. 5. Effective date. The requirements in this part for licensure as a teacher of physical education are effective on September 1, 2001, and thereafter.

### **8710.4750 TEACHERS OF SCIENCE.**

Subpart 1. Scope of practice. A teacher of chemistry, earth and space science, life science, or physics is authorized to provide instruction in all science disciplines to students in grades 5 through 8 and either chemistry, earth and space science, life science, or physics, and integrated science offerings, to students in grades 9 through 12. The science discipline that the teacher is qualified to teach in grades 9 through 12 shall be identified on the teacher's license.

Subp. 2. Licensure requirements. A candidate for licensure to teach science to students in grades 5 through 12 shall:

A. hold a baccalaureate degree from a college or university that is accredited by the regional association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8700.2000; and

C. show verification of completing a preparation program approved under part 8700.7600 leading to the licensure of teachers of science in grades 5 through 8 in subpart 3 and chemistry, earth and space science, life science, or physics in grades 9 through 12 in subpart 4, 5, 6, or 7.

Subp. 3. Subject matter standards for science in grades five through eight. A candidate for licensure as a teacher of science in grades 5 through 8 must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to E.

A. A teacher of science must demonstrate science perspectives, including:

(1) understand and conduct science inquiry as evidenced by the ability to:

(a) ask appropriate theoretical or empirical questions about a given system or event that build on current scientific knowledge and can be answered scientifically;

(b) design and conduct, using appropriate methods, technology, and mathematical tools, a scientific investigation to answer a given question;

(c) develop, using appropriate sources of information, qualitative and quantitative solutions to problems;

(d) communicate clearly and concisely, using words, diagrams, tables, graphs, and mathematical relationships, the methods and procedures, results, and conclusions for a given empirical question or problem;

(e) justify a scientific explanation of a given system or event, compared to alternative explanations, based on the available empirical evidence, current scientific understanding, and logical arguments; and

(f) criticize, using knowledge of common errors of evidence and logic, a given science-related claim or argument; and

(2) understand the history and nature of scientific knowledge as evidenced by the ability to:

(a) describe the evolution of scientific knowledge in a given historical context in terms of the contributions of male and female individuals from various cultures; the influence of society, culture, and personal beliefs of the scientists involved; and the accumulating empirical evidence and logical arguments used to develop the new knowledge;

(b) explain why scientists disagree on a given contemporary controversy in terms of the different assumptions made by the scientists, the different values the scientists place on a particular piece of evidence, and the limitations of the available data or theories, or both; and

(c) explain, using knowledge of the role of empirical evidence and logical argument in science and the assumption that the universe is a vast single system in which the basic rules are everywhere the same, why a given contemporary or historical belief is nonscience.

**B. A teacher of science must have the knowledge and ability to make conceptual connections within and across the domains of science and between science and technology. The teacher of science must understand:**

(1) connections across the domains of science as evidenced by the ability to:

(a) describe, using words and diagrams, a given technological, biological, physical, earth, or space system in terms of its components, inputs, outputs, and control or feedback;

(b) describe, using a specific example, the use of a given unifying theme or principle in the physical sciences, life sciences, and earth and space sciences; and

(c) explain, using unifying scientific principles, a given set of seemingly unrelated systems or events, both within a science domain and across science domains;

(2) connections between science and technology as evidenced by the ability to:

(a) describe the similarities and differences between the goals and processes of scientific inquiry and the goals and processes of technological design;

(b) explain how the availability of new technology influenced the development of scientific knowledge in a given contemporary or historical context and how the development of new scientific knowledge led to technological advances in a given contemporary or historical context;

(c) explain and predict the possible unexpected benefits and the negative side effects and unintended consequences of a given technological advance;

(d) explain why the contributions of individuals from different scientific disciplines and of technology were necessary for the success of a given contemporary or historical scientific investigation; and

(e) design a modification or use of a system to meet certain needs or criteria in either chemistry, earth and space science, biology, or physics; and

(3) connections between science and other school subjects as evidenced by the ability to:

(a) communicate clearly and precisely, using words, physical models, computer models, demonstrations, diagrams, flow charts, numbers, tables, graphs, and appropriate mathematical relationships, the observations, methods and procedures, results, and conclusions for a given empirical question or problem; explanations of how or why something happens; predictions of what will happen when a change is made; the design for modifying or using a system; and the evaluation of the design against the needs or criteria it was designed to meet;

(b) interpret a given text, physical or computer model, demonstration, diagram, flow chart, set of numbers, table, graph, and appropriate mathematical relationships;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

---

(c) use computer software or graphing calculators to display and analyze data and to model solutions to a prediction or design problem;

(d) explain how mathematics influenced the development of scientific knowledge in a given contemporary or historical context, and how the development of new scientific knowledge led to new mathematics in a given contemporary or historical context; and

(e) describe the impact on society and culture of a given historical development of scientific ideas.

C. A teacher of science understands how knowledge of concepts and principles of science and technology and knowledge of factors influencing personal and community health, population growth, natural resources, environmental quality, and natural and human-induced hazards influence decisions about personal and societal issues. The teacher of science must:

(1) predict the scientific, economic, political, and ethical factors that could influence a course of action to address a given personal issue or local, national, or global challenge;

(2) design, using the systematic approaches of science and scientific knowledge, a course of action to address a personal issue or a given local, national, or global challenge; and

(3) justify and defend a given design for a course of action in terms of an assessment of alternatives, risks, costs, and benefits, and consideration of who benefits and who suffers, who pays and gains, and what the risks are and who bears them.

D. A teacher of science must be able to understand and apply fundamental principles, laws, and concepts of earth and space science, life science, and physical science. The teacher of science must:

(1) know and apply the fundamental principles, laws, and concepts of earth and space science including understanding:

(a) the components and evolution of the Earth system as evidenced by the ability to:

i. describe, using words, diagrams, pictures, and graphs, the physical properties of a given Earth material;

ii. explain, from observation of its composition, texture, and physical state using physical, geological, or biological processes, a plausible way in which a given rock formed through time;

iii. explain, in terms of environmental changes, structural events, plate tectonics, and sedimentary, igneous, metamorphic, and biologic processes, how observed differences within a given rock sequence are related to the various processes that may have formed the rocks;

iv. explain, in terms of environmental changes, structural events, plate tectonics, and sedimentary, igneous, metamorphic, and biologic processes, a plausible way in which a given rock sequence formed through time;

v. explain, in terms of the physical processes that formed it, the origin and development of a given Earth structure;

vi. predict, in terms of known rock sequences, how a given geologic or biologic event might be recorded in a rock sequence; and

vii. explain, using the fossil record and decay rates of radioactive isotopes, how the age of a given rock is determined;

(b) matter and energy in the Earth system as evidenced by the ability to:

i. explain, using convection, conduction, and radiation, how matter is transported and how energy drives the process of transportation of matter within and between given Earth subsystems or structures;

ii. explain, using convection, conduction, radiation, and conservation of energy, how energy is transmitted and transformed within and between given Earth subsystems or structures;

iii. design a simple physical model that mimics the behavior of a given Earth system; and

iv. describe, using words, diagrams, and chemical equations, the processes involved in the movement of chemical elements or compounds among different given chemical reservoirs in the Earth;

(c) the Earth in the solar system and the universe as evidenced by the ability to:

i. explain how the properties and organization of galaxies provide evidence that the universe is continuously changing;

ii. explain qualitatively, using fundamental processes of chemical, physical, and geological change, how processes of change on a given solar system object are different or similar to Earth;

iii. describe, using words, diagrams, and physical models, the motion of objects in our solar system; and

iv. explain qualitatively, using Earth's axial rotation, tilt of its rotational axis, and changing position with respect to the sun, the seasonal variations in the length of a day and sun angle at various latitudes on Earth; and

(d) human interactions with the earth system as evidenced by the ability to:

i. describe, using words, diagrams, pictures, graphs, historic records, and physical models, the scientific basis for predicting the occurrence of a given environmental hazard on a human time frame;

ii. describe, using words, diagrams, pictures, maps, and physical or computer models, the observed changes in a given Earth system that are due directly or indirectly to human activity; and

iii. predict, using words, diagrams, pictures, maps, and physical or computer models, the probable movement of pollutants in a given Earth system;

(2) know and apply the fundamental principles, laws, and concepts of life science including understanding:

(a) structural and functional relationships in living systems and environments as evidenced by the ability to:

i. perform observations to describe the macroscopic structures of a given common organism;

ii. describe, using words, pictures, and diagrams, the conditions required to sustain life for a given common organism;

iii. describe, using words and diagrams, the characteristics of what determines life in a given common organism;

iv. design a system to support, sustain, and continue the life of a given set of common organisms;

v. describe, using words, pictures, dioramas, and physical or computer models, the structure and function of the components of a given living system in relation to its overall function;

vi. explain, in terms of the function of the organs of that system, the structure of a given plant and animal system;

vii. explain, using structure-function relationships, how and why the structures for a given function are different in different given species;

viii. describe the origins, transmission, prevention, management, or cure of a given disease; and

ix. explain and predict, in terms of the defense mechanism and the method by which the immunity is established, how a given active or passive immunity functions in a human;

(b) molecular and cellular life processes as evidenced by the ability to:

i. perform observations to describe cellular structures and physiological processes;

ii. describe, using words, pictures, and models, the components of a given cell;

iii. explain, in terms of the structure and function of the cell components, the differences between prokaryotic and eukaryotic cells and between given eukaryotic cells;

iv. describe, using words, pictures, and diagrams, the cellular processes of a given plant or animal cell;

v. explain, using the process of photosynthesis, how plants transform solar energy into cellular energy;

vi. explain, using the process of cellular respiration, how energy stored in food molecules is released;

vii. explain, using the process of DNA replication, how proteins are synthesized in a cell;

viii. explain, using the structure-function relationships between cells, tissues, organs, and systems, how cells function as primary building blocks of an organism;

ix. describe, using words, pictures, and models, the physical changes at each given stage of cellular asexual reproduction;

x. describe, using words, diagrams, and charts, how traits are inherited and sex is determined in a given animal; and

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

---

xi. explain, using the relationships between genetic change and expression, how a mutation occurs and predict the effect an environmental change will have on the expression of a trait;

(c) diversity and biological evolution as evidenced by the ability to:

i. describe, using words, pictures, and diagrams, the range of physical and behavioral adaptations that can occur in response to environmental stresses for a given species;

ii. describe, using words, diagrams, charts, and graphs, the range of observable characteristics of a given species in a given environment;

iii. explain the speciation process in a given fossil record; and

iv. design, based only on observable structure, a classification key for a given set of organisms; and

(d) the interdependence among living things as evidenced by the ability to:

i. collect and analyze data to describe the diversity and number of species in a given ecosystem;

ii. describe, using words, pictures, and diagrams, the biotic and abiotic components of a given niche, habitat, ecosystem, or biome;

iii. explain, in terms of environmental adaptations and development, the diversity of a given species;

iv. describe, using words and diagrams, the cycling of matter and the flow of energy within a given system;

v. explain and predict the behavioral responses of an animal to a given set of environmental changes; and

vi. design, using environmental changes, an experiment to elicit a specific behavioral response from a given animal; and

(3) know and apply the fundamental principles, laws, and concepts of the physical sciences including understanding:

(a) one-dimensional and two-dimensional linear motion and forces as evidenced by the ability to:

i. perform measurements and calculations to determine the position, average speed, and direction of motion of a given object;

ii. describe, using words, pictures or diagrams, graphs, vectors, and simple mathematical relationships, the vertical and horizontal components of the motion of a given object;

iii. describe, using words and free body vector diagrams, the forces acting on an object in a given system of interacting objects, and explain qualitatively, using Newton's Second and Third Laws, the relationships between all the forces;

iv. describe, using words, energy diagrams or graphs, and simple mathematical relationships, the change of energy of a system and any transfer of energy into or out of a given system of interacting objects; and

v. explain qualitatively, in terms of balanced and unbalanced forces and the conservation of energy, the observed motion of an object in a given system of interacting objects;

(b) vibrations and wave motion as evidenced by the ability to:

i. perform measurements and calculations to describe the wavelength, amplitude, period, and frequency of a given oscillating object or wave;

ii. describe, using words, diagrams, and graphs, the frequency and amplitude of a given simple pendulum or vibrating object;

iii. describe, using words, diagrams, and graphs, the wave motion of a traveling or standing wave in a given medium; and

iv. explain qualitatively, in terms of the changes in the frequency amplitude, wavelength, or wave velocity, the observed changes in the pitch or intensity of a sound when given changes are made to the source, the medium through which the sound travels, or the relative motion of the source or detector;

(c) the behavior of light as evidenced by the ability to:

i. explain qualitatively, using the directionality and chromatic composition of light, how we see a given object and its color;

ii. explain and predict, using ray diagrams, the observed shadows in a simple geometrical system of objects and point or extended light sources;

iii. describe, using words and ray diagrams, the reflection, refraction, transmission, and absorption of light when it encounters an ordinary object, a plain or curved mirror, a prism, and thin concave or convex lenses; and

iv. explain qualitatively, using ray diagrams and the laws of reflection and refraction of light, the observed location and magnification of the real or virtual images for a given pinhole system, simple system of mirrors, or simple system of thin lenses;

(d) electricity and magnetism as evidenced by the ability to:

i. perform measurements to determine the type of charge of a given charged object, and the north and south poles of an unmarked magnet;

ii. explain qualitatively, in terms of the movement of electrons, observed changes in the charge of an object in a given system of interacting charged and uncharged objects;

iii. describe, using words and diagrams, the magnetic field around a straight current carrying wire and a current-carrying solenoid; and

iv. design a circuit using batteries, bulbs, and switches to meet given criteria for the brightness and control of the bulbs;

(e) the properties and structure of matter as evidenced by the ability to:

i. perform measurements and calculations to describe the mass, volume, density, concentration, melting and boiling temperatures, and solubility limits of a given substance;

ii. describe, using words and diagrams, common substances as pure elements or compounds, solutions, suspensions, or colloids;

iii. perform procedures of distillation, precipitation, extraction, or chromatography to separate the substances in a given mixture;

iv. describe, using words and diagrams, the basic atomic and subatomic constituents of matter;

v. describe, using the kinetic-molecular theory or intermolecular forces, or both, the arrangement and motion of the atoms, ions, or molecules in a given gas, liquid, or solid substance, and explain the characteristic properties of the substance;

vi. explain and predict, using the principles for filling the electron orbital of atoms and the Periodic Table, the periodic trends in electrical conductivity, ionization, and metallic character of a given set of elements;

vii. predict, using the Periodic Table, whether the bonding in a given substance is primarily covalent, metallic, or ionic;

viii. describe, with words and diagrams, the electrical conductivity of a given conductor, insulator, or semiconductor using periodic trends;

ix. describe, in words and diagrams using conservation of mass and energy, the changes in matter and energy that occur in the nuclear processes of radioactive decay, fission, and fusion; and

x. describe, with words, structural and chemical diagrams and formulas, and physical and computer models, the unique structure of carbon, and explain how that structure results in the large variety of organic molecules;

(f) chemical reactions as evidenced by the ability to:

i. describe, using words, diagrams, physical or computer models, and a balanced chemical equation, changes in the energy and arrangement of atoms for a given chemical reaction;

ii. describe, using words, diagrams, and chemical symbols, a given chemical reaction as oxidation-reduction, acid-base, free radical, precipitation, metathesis, or a combination of these; and

iii. explain and predict qualitatively, using solubility rules, the common oxidation states of elements, the activity series of metals and nonmetals, the stability of radicals, and the properties of acids and bases, the most likely type of reaction for a given set of given reactants;

(g) thermodynamics as evidenced by the ability to:

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

- i. describe, using words and pictures or diagrams, the characteristics of an ideal gas;
- ii. describe and predict, using words, graphs, and mathematical relationships, changes in pressure, volume, or temperature of a given ideal gas;
- iii. describe, using words, diagrams, and energy graphs, the changes in the enthalpy and entropy during a given chemical reaction; and
- iv. explain qualitatively, using the First and Second Laws of Thermodynamics energy, changes in a given spontaneous or nonspontaneous reaction; and

(h) chemical kinetics and equilibrium as evidenced by the ability to:

- i. explain, using the requirements for effective particle collisions and activation energy, why a given spontaneous reaction is fast or slow, and predict the conditions necessary to make the reaction occur more rapidly;
- ii. explain, using the concept of activation energy and the requirements for effective particle collisions, how a given catalyst increases the rate of a given reaction;
- iii. explain, using the kinetic-molecular model, how a given change in temperature, concentration, or particle surface area changes the rate of a given chemical reaction;
- iv. describe, using words, diagrams, chemical equations, and concentration graphs, the equilibrium of a given reaction;
- v. explain, in terms of changes in the number of effective collisions of the molecules in the forward and reverse reaction, why the chemical equilibrium of a given reaction is a dynamic process; and
- vi. explain and predict change in the equilibrium of a given chemical reaction when the temperature changes, the pressure changes, a catalyst is added, or the concentration of reactants or products changes.

E. A teacher of science must have a broad-based knowledge of teaching science that integrates knowledge of science with knowledge of pedagogy, students, learning environments, and professional development. A teacher of science must understand:

(1) curriculum and instruction in science as evidence by the ability to:

- (a) select, using local, state, and national science standards, appropriate science learning goals and content;
- (b) plan a coordinated sequence of lessons and instructional strategies that support the development of students' understanding and nurture a community of science learners including appropriate inquiry into authentic questions generated from students' experiences; strategies for eliciting students' alternative ideas; strategies to help students' understanding of scientific concepts and theories; and strategies to help students use their scientific knowledge to describe real-world objects, systems, or events;
- (c) plan assessments to monitor and evaluate learning of science concepts and methods of scientific inquiry; and
- (d) justify and defend, using knowledge of student learning, research in science education, and national science education standards, a given instructional model or curriculum;

(2) safe environments for learning science as evidenced by the ability to:

- (a) use required safety equipment correctly in classroom, field, and laboratory settings;
- (b) describe, using knowledge of ethics and state and national safety guidelines and restrictions, how to make and maintain a given collection of scientific specimens and data;
- (c) describe, using knowledge of ethics and state and national safety guidelines and restrictions, how to acquire, care for, handle, and dispose of live organisms;
- (d) describe, using state and national guidelines, how to acquire, care for, store, use, and dispose of given chemicals and equipment used to teach science;
- (e) implement safe procedures during supervised science learning experiences in the public schools; and
- (f) develop a list of materials needed in an elementary science safety kit;

(3) how to apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of preadolescents and adolescents;

(4) how to apply the research base for and the best practices of middle level and high school education;

(5) how to develop curriculum goals and purposes based on the central concepts of science and how to apply instructional strategies and materials for achieving student understanding of the discipline;

(6) the role and alignment of district, school, and department mission and goals in program planning;

(7) the need for and how to connect students' schooling experiences with everyday life, the workplace, and further educational opportunities;

(8) how to involve representatives of business, industry, and community organizations as active partners in creating educational opportunities;

(9) the role and purpose of cocurricular and extracurricular activities in the teaching and learning process;

(10) the impact of reading ability on student achievement in science, recognize the varying reading comprehension and fluency levels represented by students, and possess the strategies to assist students to read science content more effectively; and

(11) how to apply the standards of effective practice in teaching through a variety of early and ongoing clinical experiences with middle level and high school students within a range of educational programming models.

**Subp. 4. Subject matter standards for teachers of chemistry.** A candidate for licensure as a teacher of chemistry in grades 9 through 12 must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to C.

**A. A teacher of chemistry must demonstrate a conceptual understanding of chemistry. The teacher must:**

(1) use sources of information to solve unfamiliar quantitative problems and communicate the solution in a logical and organized manner as evidenced by the ability to:

(a) describe, in terms of the known and unknown quantities, a given problem in appropriate pictorial, graphical, or written forms;

(b) describe, in terms of the relevant numerical and algebraic quantities and equations, a given problem mathematically;

(c) plan, using words, diagrams, and mathematical relationships, a solution for a given problem in terms of steps necessary to solve the problem and to verify the solution; and

(d) evaluate, in terms of unit consistency, reasonableness, and completeness of solution, the solution of a given problem;

(2) use computers to display and analyze experimental and theoretical data as evidenced by the ability to:

(a) describe data graphically using a computer; and

(b) design a mathematical model to provide a reasonable fit to a given set of data; and

(3) develop a plan to ensure a safe environment and practices in chemistry learning activities.

**B. A teacher of chemistry must demonstrate a knowledge of chemistry concepts. The teacher must:**

(1) understand the properties and structure of matter as evidenced by the ability to:

(a) explain and predict, using the principles for filling the electron orbitals of atoms and the Periodic Table, the periodic trends in electrical conductivity, atomic radii, ionization energy, electronegativity, electron affinity, and metallic character of a given set of elements;

(b) predict, using the Periodic Table and the arrangement and energies of the element's outermost electrons, whether the bonding in a given substance is primarily covalent, metallic, or ionic;

(c) explain and predict, using the periodic trends in the physical and chemical characteristics of the elements and the type of bonds, or intermolecular forces, or both, the relative magnitudes of a given property for a set of elements or compounds;

(d) predict, using existing models including the Valence Shell electron Pair Repulsion theory, the shape of a given molecule; and

(e) describe, with words and diagrams using neutron to proton ratios and binding energies, the changes in matter and energy that occur in the nuclear processes of radioactive decay, fission, fusion, and other common nuclear transformations;

(2) understand chemical reactions as evidenced by the ability to:

(a) perform measurements and calculations to determine the chemical formulas of the products of a given chemical reaction;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

(b) explain and predict qualitatively and quantitatively, using the Periodic Table and the concept of chemical stoichiometry, the mass relationships between reactants and products for a given chemical reaction;

(c) predict quantitatively, using the principle of state functions and Hess's Law, the molar heat of a given reaction from known values of molar heats of formation or molar heats of a series of related reactions; and

(d) explain and predict qualitatively and quantitatively, using solubility rules, the common oxidation states of elements, the activity series of metals and nonmetals, stability of radicals, and the properties of acids and bases, the most likely type of reaction for a given set of given reactants;

(3) understand thermodynamics as evidenced by the ability to:

(a) perform measurements and calculations to determine the molar heat energy absorbed or released in a given phase change or chemical reaction;

(b) predict qualitatively and quantitatively, using the Ideal Gas Law, changes in the pressure, volume, temperature, or quantity of gas in a given thermally isolated ideal gas system when the gas is heated or cooled, is compressed or expanded adiabatically, or enters or leaves the system;

(c) describe, using words, diagrams, energy graphs, and mathematical relationships, the changes in the enthalpy, entropy, and Gibb's free energy during a given chemical reaction;

(d) explain and predict qualitatively and quantitatively, using the First and Second Laws of Thermodynamics and the relationship between Gibb's free energy and the equilibrium constant, changes in the equilibrium and Gibb's free energy for a given change in the reaction conditions;

(e) design, using Gibb's free energy, a method for changing the direction of spontaneity of a given reaction; and

(f) explain qualitatively and quantitatively, using Gibb's free energy, how the electrochemical potential of a given cell depends on given changes in the temperature or the concentration of ions in solution, or both;

(4) understand chemical kinetics and equilibrium as evidenced by the ability to:

(a) perform measurements and calculations to determine the rate of a chemical reaction, the rate expression, half-life of given reaction, the activation energy of a given reaction, and the equilibrium constant of a given reaction;

(b) describe, using words, energy diagrams, graphs, and mathematical relationships, the activation energy, enthalpy changes, and reaction rate of a given reaction;

(c) explain and predict qualitatively and quantitatively, using the rate equation for the reaction, changes in the reaction rate for a given change in the concentration of a reactant or product;

(d) predict, using the rate equation and the presence or absence of intermediates, a possible mechanism for a given reaction;

(e) describe, using words, diagrams, chemical equations, concentration and rate graphs, and mathematical relationships, the equilibrium of a given reaction;

(f) explain, in terms of changes in the number of effective collisions of the molecules in the forward and reverse reaction, why the chemical equilibrium of a given reaction is a dynamic process;

(g) explain and predict quantitatively, using the equilibrium constant, the concentration of a reactant or product in a given gas phase or solution chemical reaction;

(h) design, using LeChatelier's principle, a method for achieving a specified change in the equilibrium constant or the position of equilibrium of a given chemical reaction; and

(i) design, using the rate laws and requirements for effective collisions, a method for achieving a specified change in the rate of a given chemical reaction; and

(5) understand organic and biochemical reactions as evidenced by the ability to:

(a) perform measurements and calculations to determine the melting point, boiling point, solubility, or other common physical properties of an organic compound;

(b) describe, using words, structural and chemical formulas, and physical and computer models, the functional groups and polarity of the molecule of a given organic compound;

(c) describe, using words, structural and chemical formulas, and physical or computer models, a given hydrocarbon compound as aromatic or aliphatic; saturated or unsaturated; alkanes, alkenes, or alkynes; and branched or straight chains;

(d) explain and predict, using a molecular orbital model of the pi-bond, the outcomes of reactions of given aromatic, allylic and conjugated alkenes, and other delocalized electron systems;

(e) explain and predict, using functional groups, structure, and polarity, the reactivity, solubility, melting point, and boiling point of an organic compound;

(f) predict, using infrared, nuclear magnetic resonance, and mass spectra, the structure of an organic molecule;

(g) design and carry out a single step synthesis of an organic compound, purify the compound, and characterize the product;

(h) describe, using words, diagrams, structural and chemical formulas, and physical and computer models, the origin of optical activity of a given chiral organic compound;

(i) explain why the reactivity of a chiral compound depends on its stereo chemistry when acted upon by a living system, and predict whether a particular substrate enantiomer would or would not react with its enzyme;

(j) describe, using words, structural and chemical formulas, and physical and computer models, a given set of biomolecules as a carbohydrate, lipid, protein, or nucleic acid, and explain how biomolecules are made from typical chemical components by chemical reactions;

(k) perform tests and measurements to determine if a given biological substance is a carbohydrate, lipid, protein, or nucleic acid;

(l) explain, using the concepts of electrostatic attraction, repulsion, and stereochemistry in the catalytic process, how enzymes facilitate a given biochemical reaction; and

(m) design a method to use organic compounds to demonstrate a given general chemical principle.

C. A teacher of chemistry must demonstrate an advanced conceptual understanding of chemistry and the ability to apply its fundamental principles, laws, and concepts by completing a full research experience. The teacher must:

(1) identify various options for a research experience including independent study projects, participation in research with an academic or industry scientist, directed study, internship, or field study;

(2) select an option and complete a research experience that includes conducting a literature search on a problem;

(3) design and carry out an investigation;

(4) identify modes for presenting the research project; and

(5) present the research project in the selected mode.

Subp. 5. **Subject matter standards for teachers of earth and space science.** A candidate for licensure as a teacher of earth and space science in grades 9 through 12 must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to C.

A. A teacher of earth and space science must demonstrate a conceptual understanding of earth science. The teacher must:

(1) use sources of information to solve unfamiliar qualitative and quantitative problems and communicate the solution in a logical and organized manner as evidenced by the ability to:

(a) describe, in terms of the known and unknown quantities, a given problem in appropriate pictorial, graphical, or written forms;

(b) translate a given topographical or geological map into a cross-sectional view;

(c) describe qualitatively in appropriate terms, using words, stratigraphic columns, flow charts, maps, cross-sectional views, graphs, and drawings as necessary, a given problem situation;

(d) plan, using words, diagrams, pictures, and simple mathematical relationships, a solution for a given problem in terms of steps necessary to solve the problem and to verify the solution; and

(e) evaluate, in terms of unit consistency, reasonableness, and completeness of solution, the solution of a given problem;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

(2) use computers to display and analyze experimental and theoretical data as evidenced by the ability to:

(a) describe data graphically using a computer; and

(b) design a mathematical model to provide a reasonable fit to a given set of data; and

(3) develop a plan to ensure a safe environment and practices in all earth and space science learning activities.

B. A teacher must demonstrate knowledge of earth and space science concepts. The teacher must:

(1) understand the components that make up the Earth system as evidenced by the ability to:

(a) perform measurements and statistical analyses to describe the physical properties of a given Earth material;

(b) explain for a given Earth material, in terms of chemical bond strength and chemical composition, how physical properties are related to basic chemical structure;

(c) describe, using words, pictures, diagrams, maps or globes, and satellite images, the component materials, large scale structures, and dominant physical processes of a given Earth subsystem; and

(d) explain, using seismic evidence, laboratory simulations of Earth-interior conditions, terrestrial and extraterrestrial samples, and models of chemical differentiation, how we know the interior of the Earth is segregated chemically and physically into layers;

(2) understand energy in the Earth system as evidenced by the ability to:

(a) describe, using words, pictures, diagrams, and physical or computer models, the radiant, chemical, nuclear, and gravitational energies of a given Earth subsystem or structure;

(b) describe, using words, pictures, diagrams, and physical or computer models, the flow of energy within and between given Earth subsystems or structures;

(c) describe, using words, pictures, diagrams, mathematical and chemical equations, physical or computer models, and electronic data sets, the transportation of matter within and between given Earth subsystems and structures; and

(d) explain and predict, in terms of conservation of energy, dynamic equilibrium, and geologic or atmospheric models, changes in behavior of an Earth subsystem or structure due to a given change in energy;

(3) understand geochemical cycling as evidenced by the ability to:

(a) explain, in terms of reaction equilibrium and disequilibrium and mass balance, how chemical elements and compounds in a given simple Earth system are distributed;

(b) explain and predict quantitatively and qualitatively, using related experimental data and the principles of mass balance and chemical equilibrium, how the concentration of an element or compound will change in a given reservoir interacting with another given reservoir;

(c) describe, using words, pictures, and diagrams, the concentration and depletion of given elements or compounds in a given reservoir; and

(d) explain, using mass balance, advection, convection, and chemical equilibrium, the process by which a given depletion or concentration of elements or compounds could have occurred in a given reservoir;

(4) understand the origin and evolution of the universe as evidenced by the ability to:

(a) describe, using words, drawings, and graphs, the properties of a given galaxy;

(b) explain, using the observed distribution of structural types, the relationship between astronomical distances and age, and the Big Bang theory, how differences in the composition and types of galaxies and the organization of galaxies into systems lead us to conclude that the universe is continuously changing;

(c) perform measurements to describe the spectral distribution of light from a given star;

(d) explain and predict, using the Hertzsprung-Russell Diagram, distance to the star, and stellar models, the changes in mass, luminosity, and size of a given star as it evolves from birth to death;

(e) explain, using models of stellar evolution, how stars die and become neutron stars and black holes;

(f) explain, using theories for nuclear stabilities and nuclear reactions, how elements can be formed in stars and novae;

(g) describe, using words, pictures, diagrams, and mathematical relationships, the distance over which a given astronomical distance scale is accurate; and

(h) explain, using blackbody radiation and quantization of energy levels, how to determine the temperature and elemental composition of a stellar object from its spectral signature;

(5) understand the Earth in the solar system as evidenced by the ability to:

(a) describe, with words, chemical formulas, drawings, scaled diagrams, and numerical orders of magnitude, the mass, size, and composition for a given solar system object;

(b) explain and predict, using geologic and climatic stability, availability of nutrients, and atmospheric parameters, the suitability for life for a given planetary description;

(c) explain and predict quantitatively and qualitatively, using Newton's laws of motions and gravitation and conservation of momentum, the motion of the bodies of a given solar system;

(d) explain, with words, diagrams, and models using orbital paths and relative sizes of solar system objects, the locationally dependent observation of solar and lunar eclipses and phases of the moon for a given simple solar system;

(e) explain, using Newton's laws of motion and gravitation and relative orbital positions, the origin of oceanic tides on the Earth; and

(f) design a physical solar-planetary model to demonstrate eclipses and lunar phases;

(6) understand the evolution of the Earth as evidenced by the ability to:

(a) perform measurements to describe the physical properties of a given rock sequence;

(b) describe, using words, pictures, and diagrams, the composition, textures, spatial relationships, and fossil content of a given rock sequence;

(c) explain, in terms of type and quantity of fossils, isotopic concentrations, unconformities, rock types, and rock sequences, the connection between a given major biospheric change and the rock and fossil record and a given major lithospheric change and the rock and fossil record;

(d) explain, using the principle of actualism, the relationship between features seen in the rock record and processes observable in the Earth today;

(e) predict, in terms of known rock sequences and the principle of actualism, how a given geologic or biologic event might be recorded in a rock sequence; and

(f) explain, using the fossil record and decay rates of radioactive isotopes, how the age of a given rock is determined; and

(7) understand human interactions with the Earth system as evidenced by the ability to:

(a) describe, using words, charts, figures, and maps or globes, the present distribution of a given natural resource;

(b) explain, using words, charts, figures, illustrations, and maps, how the distribution of a given resource has affected the distribution and history of human society;

(c) predict, in terms of present trends, possible alternative resources, and changes in technology or social structure, the plausible impacts on human society of future changes in the availability of a given natural resource;

(d) describe, using words, charts, figures, and maps or globes, a given occurrence of an environmental hazard;

(e) predict, in terms of direct and indirect, short-term and long-term effects, the probable impacts of a given environmental hazard on human society;

(f) explain, in terms of chemical changes, physical modifications, and changes in energy, how human activity impacts a given Earth system;

(g) predict, in terms of direct and indirect, short-term and long-term effects, the probable effects of a given human activity on an Earth system;

(h) explain, using words, diagrams, graphs, and maps, how it is known that there have been long-term changes in climate and sea level during the course of human existence;

(i) explain, using words, diagrams, pictures, and maps, how observed changes in climate and sea level may have impacted the history of human development; and

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

(j) predict, in terms of changes in resource availability, production, population size and distribution, and current social structures, the probable impacts of future changes in climate or sea level on human society.

C. A teacher of earth and space science must demonstrate an advanced conceptual understanding of earth and space science and the ability to apply its fundamental principles, laws, and concepts by completing a full research experience. The teacher must:

(1) identify various options for a research experience including independent study projects, participation in research with an academic or industry scientist, directed study, internship, or field study;

(2) select an option and complete a research experience that includes conducting a literature search on a problem;

(3) design and carry out an investigation;

(4) identify modes for presenting the research project; and

(5) present the research project in the selected mode.

Subp. 6. **Subject matter standards for teachers of life science.** A candidate for licensure as a teacher of life science in grades 9 through 12 must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to C.

A. A teacher of life science must demonstrate a conceptual understanding of life science. The teacher must:

(1) use sources of information to solve unfamiliar quantitative problems and communicate the solution in a logical and organized manner as evidenced by the ability to:

(a) describe, using appropriate alternative forms including pictorial, graphical, or written descriptions, the known and unknown quantities of a given problem; and

(b) describe, in terms of the relevant numerical and algebraic quantities and equations required to solve the problem, the relevant numerical and algebraic quantities and equations required to solve a given problem mathematically;

(2) use computers to display and analyze experimental and theoretical data as evidenced by the ability to:

(a) describe data graphically using a computer; and

(b) design a mathematical model to provide a reasonable fit to a given set of data;

(3) use mean, standard deviation, chi-squared, linear regression, and correlation to describe and analyze experimental and theoretical data; and

(4) develop a plan to ensure a safe environmental and practices in all life science learning activities.

B. A teacher of life science must demonstrate knowledge of biological concepts. The teacher must:

(1) understand structural and functional relationships as evidenced by the ability to:

(a) perform observations to describe the structures of a given common organism;

(b) describe, using words, descriptions of appropriate experimental procedures, and diagrams, the characteristics of what determines life in a given common organism;

(c) predict, using structure-function relationships, the system function from which a given set of plant and animal tissue samples is derived;

(d) describe, using words, diagrams, and pictures, immune system responses that take place in human cells, tissues, organs, and organ systems throughout the progression of a given viral, bacterial, fungal, and parasitic disease; and

(e) design a personal course of action to prevent a given human disease;

(2) understand molecular and cellular life processes as evidenced by the ability to:

(a) perform measurements to describe cellular structures and physiological processes;

(b) describe, using words, chemical formulas and equations, and diagrams, the cellular processes of a given plant or animal cell;

(c) explain, using the structure-function relationship of the chloroplast, conservation of energy, and the fundamental nature of light, how solar energy is transformed during photosynthesis into cellular energy in a given plant cell;

(d) explain, using the structure-function relationship of the mitochondria and molecular energy transformations involving ATP, how energy stored in food molecules is released during cellular respiration in a given cell;

(e) qualitatively predict, using structure-function relationships and relationships between organelles and the cellular environment, the effect of a given natural and applied physical and chemical change in the environment of a cell on photosynthesis and cellular respiration;

- (f) design experiments to test the properties of structure-function relationships in photosynthesis or cellular respiration;
- (g) explain, using the processes of replication, transcription, and translation, how proteins are synthesized in a cell; and
- (h) predict the amino acid sequence of a protein from a given codon sequence;
- (3) understand molecular reproduction and heredity as evidenced by the ability to:
  - (a) perform measurements and statistical analyses to describe the results from a given plant and animal breeding experiment;
  - (b) describe, using words, pictures, and diagrams, and models, the changes in the visibility, arrangement, and number of chromosomes at each given state of mitosis and meiosis;
  - (c) explain, using the Laws of Segregation and Independent Assortment, why fertilization and the production of sperm and eggs through meiosis is necessary for species variability;
  - (d) describe, using words, diagrams, and charts, how a given trait is inherited and expressed;
  - (e) explain and predict qualitatively and quantitatively, using rules of probability and heredity, the genotype and phenotype of the offspring of parents with given genotypic traits to include dominant-recessive traits, incomplete and co-dominant traits, polygenic traits, and sex-linked and sex-influenced traits;
  - (f) explain, using the Laws of Segregation and Independent Assortment, how the sex is determined in humans;
  - (g) describe, using words, diagrams, and charts, how a mutation occurs;
  - (h) explain and predict, using the relationship between genes and their expression, the effect an environmental change will have on the expression of a given genetic trait;
  - (i) describe, using words, diagrams, and charts, the process of producing recombinant DNA; and
  - (j) describe, using words, pictures, and diagrams, how genetic technology is used in treatment of human disease and development of agriculture products;
- (4) understand diversity and biological evolution as evidenced by the ability to:
  - (a) describe in words, pictures, and diagrams the range of physical, behavioral, and biochemical adaptations that can occur in response to environmental stresses for a given species;
  - (b) explain, using the principles of mutation and natural selection, how a specific adaptation of a given species might have developed in response to environmental stresses;
  - (c) describe, using words, diagrams, charts, and statistical relationships, the range of phenotypes of a given species in a given environment;
  - (d) explain and predict, using the principles of mutation, recombination, and natural selection, changes in the range of phenotypes of a species when a given change occurs in the environment of the species;
  - (e) explain, using the principles of mutation, recombination, and natural selection, why certain species are found in the fossil records relatively unchanged while others are not and others are extinct;
  - (f) explain and predict, using the evolutionary tree, morphological variations between two or more given species; and
  - (g) explain the variations in morphological characteristics and DNA composition of two or more given species;
- (5) understand the interdependence among living things as evidenced by the ability to:
  - (a) perform measurements and statistical analyses to describe results of a study investigating the relationship between a given common organism and its environment;
  - (b) perform measurements and statistical analyses to describe the diversity and number of species in a given ecosystem;
  - (c) describe, using words, pictures, and diagrams, the cycling of a given substance among living and nonliving components of the biosphere;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

(d) describe, using words, pictures, diagrams, and simple mathematical relationships, the cycling of matter and the flow of energy both within a given system, and between the system and the biosphere;

(e) explain, using the relationships between biotic and abiotic components of that system, why the population size and diversity of species is different between two different niches, habitats, ecosystems, or biomes;

(f) explain and predict, using population growth dynamics and interspecific and intraspecific interactions, changes in population size of organisms in an ecosystem for a given change in the biotic and abiotic components of the ecosystem; and

(g) design an experiment to investigate relationships within and among species in a simple ecosystem; and

(6) understand behavior of organisms as evidenced by the ability to:

(a) perform measurements and statistical analyses to describe the physical behavior of animals in a given natural and perturbed situation;

(b) describe, using words, pictures, and diagrams, behaviors of a given animal that allow it to interact with organisms of its own and other species and to respond to environmental changes;

(c) explain and predict, in terms of the principles of animal communication and adaptation, the behavioral responses of an animal to a given set of interactions or environmental changes; and

(d) explain behavioral responses of a given animal in terms of natural selection.

C. A teacher of life science must demonstrate an advanced conceptual understanding of life science and the ability to apply its fundamental principles, laws, and concepts by completing a full research experience. The teacher must:

(1) identify various options for a research experience including independent study projects, participation in research with an academic or industry scientist, directed study, internship, or field study;

(2) select an option and complete a research experience that includes conducting a literature search on a problem;

(3) design and carry out an investigation;

(4) identify modes for presenting the research project; and

(5) present the research project in the selected mode.

Subp. 7. **Subject matter standards for teachers of physics.** A candidate for licensure as a teacher of physics in grades 9 through 12 must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to C.

A. A teacher of physics must demonstrate a conceptual understanding of physics. The teacher must:

(1) use sources of information to solve unfamiliar quantitative problems and communicate the solution in a logical and organized manner as evidenced by the ability to:

(a) describe, in terms of the known and unknown quantities, a given problem in the appropriate pictorial, graphical, or written form;

(b) qualitatively describe, in appropriate physics terms using motion diagrams, vector force diagrams, energy or momentum diagrams, ray diagrams, or field diagrams as necessary, a given problem situation;

(c) mathematically describe, in terms of the relevant numerical, algebraic, and trigonometric quantities and equations, a given problem;

(d) plan, using words, diagrams, and mathematical relationships, a solution for solving a given problem and verify the solution;

(e) implement, using algebra and manipulation and solution of coupled sets of linear equations, quadratic equations, simple differential equations, and simple integrals as necessary, a solution to a given problem; and

(f) evaluate, in terms of unit consistency, reasonableness, and completeness of solution, the solution of a given problem;

(2) use computers to display and analyze experimental and theoretical data as evidenced by the ability to:

(a) graphically describe data using a computer;

(b) design a mathematical model to provide a reasonable fit to a given set of data;

(c) compute and evaluate the statistical significance of mean and standard deviation for a distribution of data;

(3) estimate common physical properties as evidenced by the ability to:

- (a) describe numerically, using reasonable physical estimates, the physical properties of common objects; and
- (b) compute and evaluate the reasonableness of calculated physical parameters of common objects; and
- (4) develop a plan to ensure a safe environment and practices in all physics learning activities.

**B. A teacher of physics must demonstrate a knowledge of physics concepts. The teacher must:**

- (1) understand linear and rotational motion as evidenced by the ability to:

(a) perform measurements and calculations to describe the linear and angular position, velocity, and acceleration of a given object; the forces and torques acting on an object; and the energy, momentum, and angular momentum of a system before and after an interaction;

(b) describe, using words, pictures and diagrams, graphs, vectors, and mathematical relationships, the motion of a given object;

(c) describe, using words, free-body vector diagrams, and mathematical relationships, the forces acting on each object in a given system of interacting objects and explain, using Newton's Second and Third Laws, the relationships between all the forces;

(d) describe, using words, energy diagrams or graphs, and mathematical relationships, the change of energy of a system and any transfer of energy into or out of a given system of interacting objects;

(e) describe, using words, vector diagrams, and mathematical relationships, the change of linear or angular momentum of a given system and any transfer of momentum into or out of the system of interacting objects;

(f) explain and predict qualitatively and quantitatively, in terms of Newton's Laws, the conservation of energy, and the conservation of momentum, the motion of objects in a given system of interacting objects; and

(g) design a strategy for making an object move in a given way;

- (2) understand simple harmonic and wave motion as evidenced by the ability to:

(a) perform measurements and calculations to describe the wavelength, amplitude, period, frequency, and energy of a traveling wave or an object in simple harmonic motion;

(b) describe, using words, force diagrams, energy diagrams or graphs, motion graphs, and mathematical relationships, simple or damped harmonic motion or resonance of a given oscillating system;

(c) explain and predict qualitatively and quantitatively, using the equation of motion, changes in motion of an oscillator in a given system when the intrinsic characteristics of the oscillator change, when a given external force is applied to the oscillator, and when the oscillator loses energy to its surroundings;

(d) design, using words, diagrams or graphs, and mathematical relationships, a system which oscillates at a given frequency or exhibits damped oscillations;

(e) describe a traveling or standing wave in a given medium;

(f) explain and predict qualitatively and quantitatively, using the wave equation of motion and the superposition principle, changes in wave motion when a given traveling wave interacts with a given object or boundary;

(g) explain and predict qualitatively and quantitatively, using the wave equation of motion and the superposition principle, changes in wave motion when a given traveling wave interacts with a second wave; and

(h) explain and predict qualitatively and quantitatively, using the wave equation of motion and the superposition principle, changes in the wave when the source and detector are moving relative to each other;

- (3) understand electricity and magnetism as evidenced by the ability to:

(a) perform measurements and calculations to describe time varying or constant values of current, voltage, and power in electric circuits and in magnetic fields;

(b) describe, using words, circuit diagrams, graphs, and mathematical relationships, the current, voltage, resistance, capacitance, or inductance of a given system of circuit elements;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

---

(c) explain and predict qualitatively and quantitatively, using the conservation of charge and the conservation of energy, the current through or the voltage across each element in a given circuit when changes are made to the circuit;

(d) design a circuit in which the current varies in a given way;

(e) explain and predict qualitatively and quantitatively, in terms of Newton's laws and the Lorentz Force, the motion of charges in given electric and magnetic fields;

(f) predict qualitatively and quantitatively, using Gauss's law or Ampere's law, the electric field around a given simple geometric distribution of charges and the magnetic field around a given simple geometric system of current-carrying wires;

(g) predict qualitatively, using Lenz's law and Faraday's Law, the induced currents from a given changing magnetic flux;

(h) design, using simple materials, a working electric motor and an air-core electromagnet that produces a field strength; and

(i) explain, in terms of the motion of charges and the electromagnetic nature of light, how electromagnetic radiation is generated in a given situation;

(4) understand physical and geometrical optics as evidenced by the ability to:

(a) perform measurements and calculations to describe light intensity and polarization of a given light source, the location of images formed by a simple mirror and lens system, and the focal length and magnification of a curved mirror or thin lens;

(b) describe, using words, ray diagrams, graphs, and mathematical relationships, the reflection, refraction, transmission, and absorption of light when it encounters a given macroscopic object, a plane or curved mirror, a boundary between mediums of different indices of refraction, a linear polarizer, a prism, and thin concave and convex lenses;

(c) explain and predict qualitatively and quantitatively, in terms of ray diagrams and the laws of reflection and refraction of light, the location and magnification of a real or virtual image for a given system of mirrors or lenses;

(d) design a system of lenses and mirrors to produce a real or virtual image of a given magnification;

(e) describe, using words, diagrams, and graphs, the interaction of monochromatic light with a given single or pair of parallel slits and with thin films; and

(f) explain and predict qualitatively and quantitatively, using the behavior of waves and the principle of superposition, the change in the resulting light pattern with given changes in slit width, separation, and the wavelength of the incident light on a system of slits;

(5) understand the kinetic-molecular model of matter and thermodynamics as evidenced by the ability to:

(a) perform measurements and calculations to describe the mass, volume, density, temperature, and heat capacity of a solid, liquid, or gas at constant pressure and the pressure in a gas;

(b) explain qualitatively, using the kinetic-molecular model of matter, a common physical change;

(c) describe, using words, graphs, and mathematical relationships, changes in pressure, volume, or temperature of an ideal gas;

(d) predict, using the First Law of Thermodynamics, the final temperature of a given thermally isolated system of interacting objects and materials;

(e) explain and predict qualitatively and quantitatively, using the First Law of Thermodynamics, the transfer of heat into or out of a given system;

(f) explain, using the First Law of Thermodynamics, the changes of pressure, temperature, and volume for a monatomic ideal gas operating in a Carnot cycle between given states, and describe quantitatively, using words, graphs, and mathematical relationships, the thermal efficiency of the system; and

(g) explain, in terms of the second law of thermodynamics, why energy flows from hot to cold objects; and

(6) understand contemporary physics as evidenced by the ability to:

(a) perform measurements and calculations to detect nuclear radiation in the environment, and determine wavelengths and energy of the emission spectrum of a given gas;

(b) describe, using words, diagrams, and mathematical relationships, the time dilation, length contraction, and momentum and energy of an object of given velocity;

(c) describe, using words, diagrams, and tables, the basic atomic and subatomic constituents of matter;

(d) explain qualitatively, in terms of the standard model, the observed interaction between atomic or subatomic particles in a simple situation;

(e) explain qualitatively, using the quantum nature of light and matter, and the conservation of energy and momentum, the observed interaction between photons and matter in a given situation;

(f) explain, using conservation principles, the observed changes in the matter and energy of a given nuclear process;

(g) predict, using the Heisenberg Uncertainty Principle, the lower limit of size, momentum, energy, or time that could be expected in a given atomic or subatomic measurement or situation; and

(h) describe, in terms of the energy bands and levels in the material, the electrical conductivity of a given conductor, insulator, or semiconductor.

C. A teacher of physics must demonstrate an advanced conceptual understanding of physics and the ability to apply its fundamental principles, laws, and concepts by completing a full research experience. The teacher must:

(1) identify various options for a research experience including independent study projects, participation in research with an academic or industry scientist, directed study, internship, or field study;

(2) select an option and complete a research experience that includes conducting a literature search on a problem;

(3) design and carry out an investigation;

(4) identify modes for presenting the research project; and

(5) present the research project in the selected mode.

Subp. 8. **Continuing license.** A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

Subp. 9. **Effective date.** The requirements of this part for licensure as a teacher of science shall be effective on September 1, 2001, and thereafter.

#### **8710.4800 TEACHERS OF SOCIAL STUDIES.**

Subpart 1. **Scope of practice.** A teacher of social studies is authorized to provide to students in grades 5 through 12 instruction that is designed to provide an understanding of the following social studies concepts:

A. culture and cultural diversity;

B. the ways human beings view themselves in and over time;

C. people, places, and environments;

D. individual development and identity;

E. interactions among individuals, groups, and institutions;

F. how people create and change structures of power, authority, and governance;

G. how people organize for production, distribution, and consumption of goods and services;

H. relationships among science, technology, and society;

I. global connections and interdependence; and

J. ideals, principles, and practices of citizenship in a democratic republic.

Subp. 2. **Licensure requirements.** A candidate for licensure to teach social studies to students in grades 9 through 12 shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and

C. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of social studies in subpart 3.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

Subp. 3. Subject matter standard. A candidate for licensure as a teacher of social studies must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to K.

A. A teacher of social studies understands how human beings create, learn, and adapt culture. The teacher must understand:

- (1) ways in which groups, societies, and cultures address human needs and concerns;
- (2) how data and experiences may be interpreted by people from diverse cultural perspectives and frames of reference;
- (3) culture as an integrated whole, including the functions and interactions of language, literature, the arts, traditions, beliefs and values, and behavior patterns;
- (4) societal patterns for preserving and transmitting culture while adapting to environmental or social change;
- (5) benefits of cultural diversity and cohesion, within and across groups;
- (6) patterns of behavior reflecting values and attitudes that contribute or pose obstacles to cross-cultural understanding;
- (7) the causes and effects of stereotyping on American Indians within their society and on society as a whole;
- (8) specific cultural responses to persistent human issues; and
- (9) ideas, theories, and modes of inquiry drawn from anthropology and sociology in the examination of persistent issues and social problems.

B. A teacher of social studies understands historical roots based on what things were like in the past and how things change and develop over time. The teacher must understand:

- (1) that historical knowledge and the concept of time are socially influenced constructions that lead historians to be selective in the questions they seek to answer and in the evidence they use;
- (2) key concepts, including time, chronology, causality, change, conflict, and complexity to explain, analyze, and show connections among patterns of historical change and continuity;
- (3) historical periods and patterns of change within and across cultures;
- (4) the significance of American Indian oral tradition in the perpetuation of culture and history;
- (5) processes of critical historical inquiry to reconstruct and reinterpret the past;
- (6) multiple historical and contemporary viewpoints with viewpoints within and across cultures; and
- (7) ideas, theories, and modes of historical inquiry to analyze historical and contemporary developments, and to inform and evaluate actions concerning public policy issues.

C. A teacher of social studies understands the world within and beyond personal locations. The teacher must understand:

- (1) the relative location, direction, size, and shape of locales, regions, and the world;
- (2) how to create, interpret, use, and synthesize information from various representations of the earth;
- (3) appropriate resources, data sources, and geographic tools to generate and manipulate charts, graphs, and maps and to interpret information from resources including atlases, databases, and grid systems;
- (4) how to determine distance, scale, area, density, and distinguish spatial distribution patterns;
- (5) the relationships among various regional and global patterns of geographic phenomena;
- (6) physical earth system changes to explain geographic phenomena;
- (7) how people create places that reflect culture, human needs, government policy, and current values and ideals as they design and build specialized buildings, neighborhoods, shopping centers, urban centers, industrial parks, and the like;
- (8) physical and cultural patterns and their interactions;
- (9) how historical events have been influenced by, and have influenced, physical and human geographic factors in local, regional, national, and global settings;
- (10) social and economic effects of environmental changes and crises resulting from phenomena; and
- (11) policies for the use of land and other resources in communities and regions.

D. A teacher of social studies understands that personal identity is shaped by an individual's culture, by groups, and by institutional influences. The teacher must understand:

- (1) personal connections to time, place, and social and cultural systems;
- (2) influences of various historical and contemporary cultures on an individual's daily life;

(3) the ways family, religion, gender, ethnicity, nationality, socioeconomic status, and other group and cultural influences contribute to the development of a sense of self;

(4) the vital role the process of achieving harmony and balance and the American Indian value system play in American Indian philosophy and in the daily lives of American Indians;

(5) concepts, methods, and theories about the study of human growth and development;

(6) how ethnicity, nationality, and culture interact to influence specific situations or events;

(7) the role of perceptions, attitudes, values, and beliefs in the development of personal identity;

(8) the impact of stereotyping, conformity, acts of altruism, and other behaviors on individuals and groups;

(9) how to work independently and cooperatively within groups and institutions to accomplish goals; and

(10) factors that contribute to and damage mental health and issues that relate to mental health and behavioral disorders in contemporary society.

E. A teacher of social studies understands how institutions are formed, what controls and influences them, how institutions control and influence individuals and culture, and how institutions can be maintained or changed. The teacher must understand:

(1) how concepts, including role, status, and social class, impact the connections and interactions of individuals, groups, and institutions in society;

(2) group and institutional influences on people, events, and elements of culture in both historical and contemporary settings;

(3) the various forms institutions take and how they develop and change over time;

(4) how Minnesota-based Anishinabe reservations and Dakota communities are influenced by history, geography, and contemporary issues;

(5) that expressions of individuality and efforts to promote social conformity by groups or institutions can result in tensions;

(6) belief systems in contemporary and historical movement;

(7) how institutions can further both continuity and change;

(8) how groups and institutions meet individual needs and promote the common good in contemporary and historical settings; and

(9) the application of ideas and modes of inquiry drawn from behavioral science and social theory in the examination of persistent issues and social problems.

F. A teacher of social studies understands the historical development of structures of power, authority, and governance and their evolving functions in contemporary United States society and other parts of the world. The teacher must understand:

(1) persistent issues involving the rights, roles, and status of the individual in relation to the general welfare;

(2) the purpose of government and how its powers are acquired, used, and justified;

(3) ideas and mechanisms to meet needs and wants of citizens, regulate territory, manage conflict, establish order and security, and balance competing conceptions of a just society;

(4) ways nations and organizations respond to conflicts between forces of unity and forces of diversity;

(5) American Indian treaties and how they function, the meaning of tribal sovereignty, and the concept of sovereignty as related to tribal government;

(6) the impact of ever changing United States policies on American Indians;

(7) existing differing political systems and the role representative political leaders from selected historical and contemporary settings have had in shaping these systems;

(8) conditions, actions, and motivations that contribute to conflict and cooperation within and among nations;

(9) the role of technology in communications, transportation, information processing, development, or other areas as it contributes to or helps resolve conflicts;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

---

(10) how to apply ideas, theories, and modes of inquiry drawn from political science to the examination of persistent issues and social problems;

(11) the extent to which governments achieve their stated ideals and policies at home and abroad; and

(12) how public policy is formed and expressed.

G. A teacher of social studies understands how people organize for the production, distribution, and consumption of goods and services. The teacher must understand:

(1) how the scarcity of productive human, capital, technological, and natural resources requires the development of economic systems to make decisions about how goods and services are to be produced and distributed;

(2) the role that supply and demand, prices, incentives, and profits play in determining what is produced and distributed in a competitive market system;

(3) the costs and benefits to society of allocating goods and services through private and public sectors;

(4) relationships among the various economic institutions that comprise economic systems;

(5) the role of specialization and exchange in economic processes;

(6) how values and beliefs influence economic decisions in different societies;

(7) basic economic systems according to how rules and procedures deal with demand, supply, prices, the role of government, banks, labor and labor unions, savings and investments, and capital;

(8) how to apply economic concepts and reasoning in evaluating historical and contemporary social developments and issues;

(9) differences between the domestic and global economic systems and how the two interact; and

(10) the relationship of production, distribution, and consumption in establishing socially desirable outcomes for resolving public issues.

H. A teacher of social studies understands the relationships among science, technology, and society. The teacher must understand:

(1) both current and historical examples of the interaction and interdependence of science, technology, and society in a variety of cultural settings;

(2) how science and technology have transformed the physical world and human society to include its impact on time, space, place, and the interactions between humans and their environment;

(3) how science and technology influence the core values, beliefs, and attitudes of society, and how core values, beliefs, and attitudes of society shape scientific and technological change;

(4) how to evaluate various policies that have been proposed as ways of dealing with social changes resulting from new technologies, for example, genetically engineered plants and animals;

(5) varied perspectives about human societies and the physical world using scientific knowledge, ethical standards, and technologies from diverse world cultures; and

(6) strategies and policies for influencing public discussions associated with technology-society issues, such as the greenhouse effect.

I. A teacher of social studies understands the relationship of global connections among world societies to global interdependence. The teacher must understand:

(1) how language, art, music, belief systems, and other cultural elements can facilitate global understanding or cause misunderstanding;

(2) conditions and motivations that contribute to conflict, cooperation, and interdependence among groups, societies, and nations;

(3) the effects of changing technologies on the global community;

(4) causes, consequences, and possible solutions to persistent, contemporary, and emerging global issues;

(5) relationships and tensions between national sovereignty and global interests;

(6) the role of international and multinational organizations in the global arena;

(7) how individual behaviors and decisions connect with global systems; and

(8) concerns, issues, and conflicts related to universal human rights.

J. A teacher of social studies understands that civic ideals and practices of citizenship is critical to full participation in society and is the central purpose of the social studies. The teacher must understand:

- (1) the origins and the continuing influence of key ideals of the democratic republican form of government;
- (2) sources and examples of citizens' rights and responsibilities;
- (3) how to locate, access, analyze, organize, synthesize, evaluate, and apply information about selected public issues that are representative of multiple points of view;
- (4) forms of civic discussion and participation that are consistent with the ideals of citizens in a democratic republic;
- (5) the influence of various forms of citizen action on public policy;
- (6) how to analyze a variety of public policies and issues from the perspective of formal and informal political actors;
- (7) how to evaluate the effectiveness of public opinion in influencing and shaping public policy development and decision-making;
- (8) the degree to which public policies and citizen behaviors reflect or foster the stated ideals of a democratic republican form of government; and
- (9) ways for strengthening the common good through citizen empowerment and action.

K. A teacher of social studies must demonstrate an understanding of the teaching of social studies that integrates understanding of the social studies disciplines with the understanding of pedagogy, students, learning, classroom management, and professional development. The teacher of social studies to preadolescent and adolescent students shall:

- (1) understand and apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of preadolescents and adolescents;
- (2) understand and apply the research base for and the best practices of middle and high school education;
- (3) develop curriculum goals and purposes based on the central concepts of each social studies discipline and know how to apply instructional strategies and materials for achieving student understanding of these disciplines;
- (4) understand the role and alignment of district, school, and department mission and goals in program planning;
- (5) understand the need for and how to connect students' schooling experiences with everyday life, the workplace, and further educational opportunities;
- (6) know how to involve representatives of business, industry, and community organizations as active partners in creating educational opportunities;
- (7) understand the role and purpose of cocurricular and extracurricular activities in the teaching and learning process;
- (8) understand the impact of reading ability on student achievement in social studies, recognize the varying reading comprehension and fluency levels represented by students, and possess the strategies to assist students to read social studies content materials more effectively; and
- (9) apply the standards of effective practice in teaching students through a variety of early and ongoing clinical experiences with middle level and high school students within a range of educational programming models.

Subp. 4. **Continuing license.** A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

Subp. 5. **Effective date.** The requirements in this part for licensure as a teacher of social studies are effective on September 1, 2001, and thereafter.

<p><b>KEY: PROPOSED RULES SECTION</b> — Underlining indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — Underlining indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

### **8710.4825 TEACHER COORDINATORS OF WORK-BASED LEARNING.**

**Subpart 1. Scope of practice.** A teacher coordinator of work-based learning is authorized to provide and coordinate instruction that enables students to learn through work and to consult and collaborate with families, other teachers, and business, industry, labor, and community representatives in designing, implementing, and evaluating student learning through work. For the purposes of this part, "work-based learning" means learning through paid and unpaid work-based experiences where the worksite is the educational setting for one or more hours of the school day or week for one or more quarters or semesters of the school year.

**Subp. 2. License requirements.** A candidate for licensure as a teacher coordinator of work-based learning shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. hold or apply and qualify for another Minnesota license valid for teaching in grades 9 through 12; and

C. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teacher coordinators of work-based learning in subpart 3.

**Subp. 3. Subject matter standard.** A candidate for licensure as a teacher coordinator of work-based learning must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to D. The knowledge and skills required in this subpart shall be acquired through college coursework and experiences including employment, internship, mentorship, job shadowing, or apprenticeships.

A. A teacher coordinator understands the central concepts, tools of inquiry, and history and context of work-based learning. The teacher must understand:

(1) contemporary issues pertaining to creating learning environments for students at work;

(2) models and legislation that provide the basis for connecting students' school experiences with the workplace or further education and for learning through work; and

(3) the role of work-based learning in providing students kindergarten through grade 12 with opportunities to learn about work and how to work and, when appropriate, to learn through work.

B. A teacher coordinator understands how to design and implement school-based instruction that focuses on enabling students to learn about work, how to acquire skills, and gain a perspective and direction on a career pathway. The teacher must understand:

(1) basic workplace readiness and employability skills and employment trends;

(2) the role and process of a human resources department in the organizational structure;

(3) the career decision-making process, including self-awareness, career research, workplace expectations, career development strategies, school-to-work transition, and life-long learning;

(4) how to research a career and access career information;

(5) how to connect students' school-based experiences with everyday life, the workplace, and future educational opportunities;

(6) unique student needs and how to adapt and modify curriculum and instruction and work collaboratively with other teachers to accommodate the unique needs;

(7) strategies for teaching students self-advocacy and functional life skills relevant to independence, social skills, and community and personal living;

(8) strategies for teaching students to learn about work, how to acquire skills, and gain a perspective on a career;

(9) role and purpose of intra-curricular activities including their application as a vehicle for teaching group process, cooperation, collaboration, service, and leadership;

(10) how to market the work-based learning program including student and employer recruitment and retention techniques; and

(11) how to implement systematic procedures for continuous program improvement.

C. A teacher coordinator understands how to establish and monitor work-based instruction that focuses on enabling students to learn about work, how to acquire skills, and gain a perspective and direction on a career pathway. The teacher must understand:

(1) criteria for determining when work is a learning experience;

(2) various placement options and selection of educational options based on the needs, abilities, and interests of the student;

(3) laws pertaining to employment including the Americans with Disabilities Act, state and federal labor laws including wage and hour laws and volunteerism, and data privacy laws;

(4) how to develop and implement training agreements that are consistent with school guidelines and expectations for student participation in the program;

(5) how to match the individual needs of the student to the work-based learning site;

(6) how to work collaboratively in designing, implementing, and evaluating a student's individual training plan;

(7) job task analysis and how to use it to appropriately sequence instruction;

(8) how to teach mentors and students in the work-based learning setting;

(9) how to monitor, summarize, and report the acquisition of the work-based learning outcomes identified in the training plan;

(10) performance assessment and how to apply it to assessing student on-the-job learning; and

(11) how to identify, develop, and maintain employment sites.

D. A teacher coordinator communicates and interacts with students, their families, other teachers, and representatives of business, industry, labor, and the community to support student learning through work. The teacher must understand:

(1) how to actively engage parents, and representatives of business, industry, labor, and community organizations as active partners in creating educational opportunities;

(2) how to assist students and their parents in making decisions about students' academic and occupational choices;

(3) effective communication and problem-solving skills; and

(4) how to access and evaluate information from consumer and professional organizations, publications, and journals relevant to teaching and learning through work.

Subp. 4. **Continuing licensure.** A continuing license shall be issued and renewed according to rules of the Board of Teaching governing continuing licenses.

Subp. 5. **Effective date.** Requirements in this part for licensure as a teacher coordinator of work-based learning are effective on September 1, 2001, and thereafter.

### **8710.4850 TEACHERS OF TECHNOLOGY.**

Subpart 1. **Scope of practice.** A teacher of technology is authorized to provide to students in grades 5 through 12 instruction that is designed to provide an understanding of the continually developing technological world using as its context the areas of transportation, construction, power and energy, communications, manufacturing, biotechnology, and other contemporary and emerging technologies to include orienting students to careers in these and other technological areas. The instruction focuses on teaching students how to extend human capability with products or processes using the technological method through providing them with experiences for creating a system that integrates equipment, machines, tools, software, hardware, and other technological devices to complete a task; how to adapt to technological changes in all aspects of their lives including home, leisure, and work; and how to assess the impact of technology from an environmental, social, economic, cultural, historical, and ethical perspective.

Subp. 2. **Licensure requirements.** A candidate for licensure to teach technology to students in grades 5 through 12 shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and

C. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of technology in subpart 3.

Subp. 3. **Subject matter standard.** A candidate for licensure as a teacher of technology must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to C.

A. A teacher of technology understands central concepts common to technology content. The teacher must understand:

(1) the technological method including defining the problem, researching, identifying possible solutions, analysis, implementation, and evaluation and how to apply it;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

(2) how to identify, classify, and organize content within the following technological bodies of knowledge:

(a) communications technology including:

i. graphic and electronic forms of communications;

ii. the processes of designing, drafting, photographing, printing, technical writing, and computer-based communication; and

iii. communication systems such as data processing, programming, recording and playing, and transmitting and receiving information;

(b) construction technology including:

i. the fields of residential, commercial, and civil construction; and

ii. construction systems, including wood, concrete, steel, composites, electrical, mechanical, and site development;

(c) manufacturing technology including:

i. custom, intermittent, and continuous types of manufacturing;

ii. manufacturing processes relating to materials used and the processes of forming, separating, combining, measuring, and finishing; and

iii. manufacturing systems such as research and development, automation, material handling, and quality control;

(d) energy and power technology including:

i. radiant, chemical, thermal, mechanical, electrical, and nuclear forms of energy;

ii. methods of extracting, conserving, measuring, controlling, converting, transmitting, and storing energy;

iii. fossil fuel, solar, nuclear, electrical, fluid, and renewable energy resources; and

iv. converting, measuring, altering and controlling mechanical power systems;

(e) transportation technology including:

i. terrestrial, marine, atmospheric, and space modes of transportation; and

ii. propulsion, suspension, guidance, control, support, and structural systems of transportation;

(f) biotechnology including:

i. plant, animal, and machine applications of biotechnology and biotechnology processes for propagating, growing, maintaining, harvesting, adapting, treating, and converting; and

ii. human factors, engineering, health care, cultivation of plants and animals, fuel and chemical production, waste management and treatment, and biomaterials; and

(g) management of technologically related resources including the resources of time, capital, energy, tools, materials, information, and people needed to use biotechnology, communication, construction, manufacturing, energy and power, and transportation technology;

(3) how technological elements, components, and devices function in micro and macro systems including input, process, output, and feedback, and why systems interact or behave as they do;

(4) historical, sociological, ethical, environmental, and economic impacts of technology; and

(5) current and emerging technological careers, the importance of possessing lifelong learning values, workplace skills, and an understanding of the developmental career process as gained through employment, internship, mentorship, job shadowing, or apprenticeship.

B. A teacher of technology understands central concepts common to the teaching and learning of technology education content. The teacher must understand:

(1) the definition, philosophy, and rationale of technology education;

(2) technological issues and problems for teaching decision-making, critical thinking, and problem-solving skills;

(3) how to use tools, equipment, materials, and processes in technology education learning environments safely; and

(4) laboratory oriented instructional skills necessary for modeling technological expertise including craftsmanship, visualization skills, spatial relationships, mechanical aptitude, and design principles.

C. A teacher of technology must demonstrate an understanding of the teaching of technology that integrates understanding of technology with the understanding of pedagogy, students, learning, classroom management, and professional development. The teacher of technology to preadolescent and adolescent students must:

(1) understand and apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of preadolescents and adolescents;

(2) understand and apply the research base for and the best practices of middle and high school education;

(3) develop curriculum goals and purposes based on the central concepts of technology and know how to apply instructional strategies and materials for achieving student understanding of technology;

(4) understand the role and alignment of district, school, and department mission and goals in program planning;

(5) understand the need for and how to connect students' schooling experiences with everyday life, the workplace, and further educational opportunities;

(6) know how to involve representatives of business, industry, and community organizations as active partners in creating educational opportunities;

(7) understand the role and purpose of cocurricular and extracurricular activities in the teaching and learning process;

(8) understand the impact of reading ability on student achievement in technology, recognize the varying reading comprehension and fluency levels represented by students, and possess the strategies to assist students to read technology content materials more effectively; and

(9) apply the standards of effective practice in teaching students through a variety of early and ongoing clinical experiences with middle level and high school students within a range of educational programming models.

**Subp. 4. Continuing license.** A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

**Subp. 5. Effective date.** Requirements in this part for licensure as a teacher of technology are effective on September 1, 2001, and thereafter.

#### **8710.4900 TEACHERS OF VISUAL ARTS.**

**Subpart 1. Scope of practice.** A teacher of visual arts is authorized to provide to students in kindergarten through grade 12 instruction that is designed to develop an understanding of the creative works and processes of producing visual art forms.

**Subp. 2. Licensure requirements.** A candidate for licensure to teach visual arts to students in kindergarten through grade 12 shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000; and

C. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of visual arts in subpart 3.

**Subp. 3. Subject matter standard.** A candidate for licensure as a teacher of visual arts must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to F.

A. A teacher of visual arts demonstrates an understanding of and how to teach aesthetic principles and habits and knows processes for evaluating them. The teacher must:

(1) know how to make careful and clear distinctions to support factual claims from value and meaning claims;

(2) know that learning about art involves questioning, making conclusions, and forming concepts of the nature of art to distinguish works of art from other objects;

(3) understand that philosophers of art have reached quite different conclusions about what art is; and

(4) know questioning strategies that lead to understanding the nature, relationship, and value of art.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

B. A teacher of visual arts understands and evaluates art theory and art studio practice. The teacher must:

- (1) understand and apply formal elements and principles of design;
- (2) understand and apply theories of color, spatial relationships, and perception;
- (3) know ways for developing ideas for artistic metaphors derived from exploration of the physical world, the needs of other people, psychological interests, and reflecting on sensory and formal qualities;
- (4) be able to make technical and aesthetic decisions and modify ideas as work proceeds;
- (5) develop skills in manipulating two-dimensional and three-dimensional art materials and explore a variety of methods and effects;
- (6) know the various standards to consider in determining whether a work is finished or successful;
- (7) be able to apply various artistic standards in judging personal works of art;
- (8) know how to alternate between invention, the role of artist, and selection, the role of critic;
- (9) understand the sustained personal effort and the pleasure and satisfaction of producing a work of art; and
- (10) demonstrate competence in a minimum of one medium or process in each of the following six studio art areas, with an emphasis in at least two areas:
  - (a) drawing, including experiences in rendering, gesture, and contour;
  - (b) painting, for example, experiences with water color, tempera, oil, acrylic, or mixed media;
  - (c) sculpture, for example, experiences with wood, metal, fibers, paper mache, molding, casting, or found objects; ceramics, for example, experiences with glazing, hand building, throwing, and firing; or architecture, for example, experiences with model making, rendering, and computer imaging;
  - (d) graphic arts; photography, for example, experiences with still, black and white, film processing, and digital imaging; or printmaking, for example, experiences with silk screening, monoprinting, relief printing, stenciling, serigraphy, engraving, or intaglio;
  - (e) fiber arts, for example, experiences with weaving, papermaking, quilting, or stitchery; and
  - (f) computer graphics, video and animation, performance art, or conceptual art.

C. A teacher of visual arts understands that works of art are affected by where and when they were produced. The teacher must:

- (1) understand the effect of culture and temporal contexts on the appearance of artworks and the point of view of persons of other cultures or other times in interpreting the art;
- (2) analyze and interpret contextual information about traditional art forms within various cultures;
- (3) understand the chronological development of art from prehistoric to present; and
- (4) use art historical research processes.

D. A visual arts teacher understands, produces, and evaluates critical interpretations of works of art. The teacher must:

- (1) understand that art critics base their judgment of artworks on specific standards, interpret how artworks function in society, and select appropriate standards for judging artworks;
- (2) know how to apply a variety of critical perspectives in interpreting works by investigating significant meaning and expressive content of the works, to synthesize description and analysis into an interpretive judgment; and
- (3) know how to use criticism models to compare and contrast qualities within artwork using the sensory, formal, technical, and expressive scanning model and the description, analysis, interpretation, and judgment strategies model.

E. A teacher of visual arts understands central concepts common to the teaching and learning of art education content. The teacher must understand:

- (1) philosophical influences within art education;
- (2) the goals and purposes of art education, making principled decisions about practice;
- (3) the historical foundations of art education and training in visual art;
- (4) art education research to enhance teaching effectiveness;
- (5) the importance of the arts to the individual, school, community, and society to include careers, hobbies, and leisure time activities;

- (6) how to budget an art program and manage art classroom procedures;
- (7) how to conduct meaningful and appropriate assessments and evaluations of programs; and
- (8) safe use of tools, equipment, materials, and processes in visual art education learning environments.

F. A teacher of visual arts must demonstrate an understanding of the teaching of visual arts that integrates understanding of visual art with an understanding of pedagogy, students, learning, classroom management, and professional development. The teacher of visual arts to children, preadolescents, and adolescents must:

(1) understand and apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of children, preadolescents, and adolescents;

(2) understand and apply the research base for and the best practices of kindergarten and primary, intermediate, and middle and high school education;

(3) develop curriculum goals and purposes based on the central concepts of visual arts and know how to apply instructional strategies and materials for achieving student understanding of this discipline;

(4) understand the role and alignment of district, school, and department mission and goals in program planning;

(5) understand the need for and how to connect students' schooling experiences with everyday life, the workplace, and further educational opportunities;

(6) know how to involve representatives of business, industry, and community organizations as active partners in creating educational opportunities;

(7) understand the role and purpose of cocurricular and extracurricular activities in the teaching and learning process;

(8) understand the impact of reading ability on student achievement in visual arts, recognize the varying reading comprehension and fluency levels represented by students, and possess the strategies to assist students to read art content materials more effectively; and

(9) apply the standards of effective practice in teaching students in kindergarten through grade 12 through a variety of early and ongoing clinical experiences with kindergarten and primary, intermediate, middle level, and high school students within a range of educational programming models.

Subp. 4. **Continuing license.** A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

Subp. 5. **Effective date.** Requirements in this part for licensure as a teacher of visual arts are effective on September 1, 2001, and thereafter.

### **8710.4950 TEACHERS OF WORLD LANGUAGES AND CULTURES.**

Subpart 1. **Scope of practice.** A teacher of world languages and cultures is authorized to provide to students instruction that is designed to develop language fluency and cultural understanding in a language other than spoken English. If teaching in an immersion setting where the entire academic curriculum is taught in a language other than English, the teacher shall hold licensure with the scope of practice appropriate to the subjects to be taught. The specific language or languages which the teacher is qualified to teach must be clearly indicated on the license.

Subp. 2. **Licensure requirements for teachers of world languages and cultures.**

A. A candidate for licensure to teach world languages and cultures to students in kindergarten through grade 8 shall:

(1) hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

(2) hold or apply and qualify for a Minnesota elementary education classroom teaching license; and

(3) show verification of completing a Board of Teaching approved preparation program leading to the licensure of teachers of world languages and cultures in subpart 3, 4, or 5.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

B. A candidate for licensure to teach world languages and cultures to students in kindergarten through grade 12 shall:

(1) hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

(2) demonstrate the standards for effective practice for licensing of beginning teachers in part 8700.2000; and

(3) show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of world languages and cultures in subparts 3 and 6, 4 and 6, or 5 and 6.

**Subp. 3. Subject matter standard for teachers of modern languages and cultures.** A candidate for licensure as a teacher of modern languages and cultures must complete a preparation program under subpart 2, item A or B, subitem (3), that must include the candidate's demonstration of the knowledge and skills in items A to C.

A. All teachers of modern languages and cultures must:

(1) understand language as a system;

(2) understand first and second language acquisition theory and how this informs practice;

(3) demonstrate intermediate-high level speaking proficiency as defined in the ACTFL Proficiency Guidelines established by the American Council on the Teaching of Foreign Languages;

(4) comprehend, interpret, and evaluate information received in the target language through reading and listening at the level that results from demonstrating the speaking proficiency; and

(5) use familiar topics to write narratives and descriptions of a factual nature or routine correspondence consisting of several paragraphs at a level understandable to a native speaker of the target language.

B. A teacher who is a native speaker of the modern language to be taught must:

(1) demonstrate advanced level speaking proficiency in English and the target language as defined in the ACTFL Proficiency Guidelines;

(2) comprehend, interpret, and evaluate information received in the target language and in English through reading and listening at the level that results from demonstrating the speaking proficiency; and

(3) use familiar topics to write in English and the native language narratives and descriptions of a factual nature or routine correspondence consisting of several paragraphs to a level understandable to a native.

C. A teacher of modern languages and cultures must:

(1) be aware of areas of the world where the target language is spoken and know that life in all these areas may vary widely;

(2) understand the target culture from a variety of perspectives, including historical, geographical, political, and artistic and contemporary viewpoints;

(3) be familiar with culture and literature of children and adolescents in both the United States and target cultures;

(4) understand the history of institutions within the cultures sufficiently for comprehending why current conditions exist;

(5) have a sociolinguistic understanding sufficient for accurately communicating the interrelationships of the language and culture;

(6) understand that both content and process are important and that cultural knowledge and understanding are interdisciplinary;

(7) understand that culture is neither monolithic nor static and that developing insights into the variability of cultural phenomena is a lifelong process;

(8) know that every cultural phenomenon is unique and is affected by age, geographic region, sex, class, and other factors and that multiple perspectives, value systems, and modes of decision-making and behaviors exist;

(9) know about cultural stereotyping and how to address it as a result of developing skills in processing information which include observing, comparing, and inquiring about cultural phenomena; analyzing and hypothesizing about the phenomena; and synthesizing and determining their generalizability;

(10) compare and contrast cultures of people who speak another language with the teacher's own culture; and

(11) have opportunities for first-hand experiences with the target cultures, whether in the United States or abroad, and relate those experiences to the classroom setting.

**Subp. 4. Subject matter standard for teachers of classical languages and cultures/Greek and Latin.** A candidate for licensure as a teacher of classical languages and cultures must complete a preparation program under subpart 2, item A or B, subitem (3), that must include the candidate's demonstration of the knowledge and skills in items A and B.

**A. A teacher of classical languages and cultures must:**

- (1) understand language as a system;
- (2) understand first and second language acquisition theory and how this informs practice;
- (3) demonstrate competencies in four modalities of reading, speaking, listening, and writing:

(a) the teacher must:

i. read with understanding passages of prose or poetry of the most important Latin and Greek authors, for example, Caesar, Cicero, Vergil, Ovid, Horace, Livy, Plato, Homer, and dramatists;

ii. explain grammatical structures of the sentences and analyze word forms, including case use, mood, and tense; and

iii. infer meanings of unfamiliar words from cognates, derivatives, and context;

(b) the teacher must:

i. pronounce Latin and Greek correctly;

ii. orate prose with expression and correct inflection;

iii. orate poetry according to metrical principles;

iv. greet students, give simple commands, and lead oral exercises; and

v. orally formulate Latin and Greek questions based on a reading passage;

(c) the teacher must understand main ideas of a connected oral reading; and

(d) the teacher must:

i. accurately construct grammatical Latin and Greek from a moderately complex English original; and

ii. transform sentences from one grammatical structure to another;

(4) understand Latin's relation to English and other modern languages; identify Latin- and Greek-based English words, understand their etymology, and provide cognates; and identify Latin and Greek terminology commonly used in science, law, medicine, and Latin abbreviations, terms, phrases, and mottoes commonly used in English; and

(5) understand the value of extra activities promoting cultural interest.

**B. A teacher of classical languages and cultures must:**

(1) be aware of areas of the world where the language was spoken and know that life in these areas varied widely;

(2) have a sociolinguistic understanding sufficient for accurately communicating the interrelationships of the language and culture;

(3) understand that both content and process are important and that cultural knowledge and understanding are interdisciplinary;

(4) understand that culture is neither monolithic nor static and that developing insights into the variability of cultural phenomena is a lifelong process;

(5) know that every cultural phenomenon is unique and is affected by age, geographic region, sex, class, and other factors and that multiple perspectives, value systems, and modes of decision-making and behaviors exist;

(6) know about cultural stereotyping and how to address it as a result of developing skills in processing information, including observing, comparing, and inquiring about cultural phenomena; analyzing and hypothesizing about the phenomena; and synthesizing and determining generalizability of the phenomena;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

(7) compare and contrast cultures of people who speak another language with the teacher's own culture; and

(8) have opportunities for on-site experiences with chronologically distant cultures and relate those experiences.

**Subp. 5. Subject matter standard for teachers of American sign language and deaf culture.** A candidate for licensure as a teacher of American sign language and deaf culture must complete a preparation program under subpart 2, item A or B, subitem (3), that must include the candidate's demonstration of the knowledge and skills in items A to C.

**A. A teacher of American sign language and deaf culture must:**

(1) understand language as a system;

(2) understand first and second language acquisition theory and how this informs practice;

(3) demonstrate intermediate-plus level of expressive language proficiency on the Signed Communication Proficiency Interview established by the National Technical Institute for the Deaf;

(4) demonstrate receptive language proficiency in American sign language through comprehending, explaining, and evaluating information received from an individual who signs at the intermediate high level as defined by the Signed Communication Proficiency Interview Guidelines established by the National Technical Institute for the Deaf; and

(5) use familiar topics to narrate and describe factual information or routine communication at a level understandable to a native American sign language user.

**B. A teacher whose first language is American sign language must:**

(1) comprehend and evaluate information received in English; and

(2) use familiar topics to write in English narratives and descriptions of a factual nature or routine correspondence consisting of several paragraphs to a level understandable to a person whose first language is American sign language.

**C. A teacher of American sign language and deaf culture must:**

(1) know where American sign language is used;

(2) understand the deaf culture from a variety of perspectives, including historical, geographical, political, and contemporary viewpoints;

(3) be familiar with similarities and differences between deaf and hearing culture in the United States;

(4) understand the history, customs, and practices of deaf culture sufficiently to comprehend why current conditions exist;

(5) have a sociolinguistic understanding sufficient for accurately communicating the interrelationships of the language and culture;

(6) understand that both content and process are important and that cultural knowledge and understanding are interdisciplinary;

(7) understand that culture constantly grows and that developing insights into culture is a lifelong process;

(8) know that every cultural phenomenon is unique and is affected by age, geographic region, sex, class, and other factors and that multiple perspectives, value systems, and modes of decision-making and behaviors exist;

(9) know about cultural stereotyping and how to address it as a result of developing skills in processing information that include observing, comparing, and inquiring about cultural phenomena; analyzing and hypothesizing about the phenomena; and synthesizing and determining generalizability of the phenomena;

(10) compare and contrast cultures of people who use languages other than spoken English with the teacher's own culture; and

(11) have opportunities for first-hand experiences in deaf culture and relate to those experiences.

**Subp. 6. Teaching and learning.** A candidate for licensure as a teacher of world languages and cultures must complete a preparation program under subpart 2, item B, subitem (3), that must include the candidate's demonstration of an understanding of the teaching of world languages and cultures that integrates understanding of the world language and culture with an understanding of pedagogy, students, learning, classroom management, and professional development. A teacher of world languages and cultures to children, preadolescents, and adolescents in kindergarten through grade 12 shall:

**A. understand and apply educational principles relevant to the physical, social, emotional, moral, and cognitive development of children, preadolescents, and adolescents;**

B. understand and apply the research base for and the best practices of kindergarten and primary, intermediate, and middle and high school education;

C. develop curriculum goals and purposes based on the central concepts of language and culture and know how to apply instructional strategies and materials for achieving student understanding of the language and culture;

D. understand the role and alignment of district, school, and department mission and goals in program planning;

E. understand the need for and how to connect students' schooling experiences with everyday life, the workplace, and further educational opportunities;

F. know how to involve representatives of business, industry, and community organizations as active partners in creating educational opportunities;

G. understand the role and purpose of cocurricular and extracurricular activities in the teaching and learning process;

H. understand the impact of reading ability on student achievement in second language studies, recognize the varying reading comprehension and fluency levels represented by students, and possess the strategies to assist students to read world language content more effectively; and

I. apply the standards of effective practice in teaching students through a variety of early and ongoing clinical experiences with kindergarten, primary, or intermediate; and middle level, and high school students within a range of educational programming models.

Subp. 7. Continuing license. A continuing license shall be issued and renewed according to the rules of the Board of Teaching governing continuing licensure.

Subp. 8. Incorporations by reference.

A. For the purposes of this part, the ACTFL Proficiency Guidelines published in 1986 by the American Council on the Teaching of Foreign Languages, 6 Executive Plaza, Yonkers, NY 10701-6801, and subsequent editions are incorporated by reference. The guidelines are not subject to frequent change and are available from the state law library.

B. For the purposes of this part, the Signed Communication Proficiency Interview Guidelines published in August 1994 by the National Technical Institute for the Deaf, 52 Lomb Memorial Drive, Rochester, NY 14623-5604, and subsequent editions are incorporated by reference. The guidelines are not subject to frequent change and are available from the state law library.

Subp. 9. Effective date. Requirements in this part for licensure as a teacher of world languages and cultures are effective on September 1, 2001, and thereafter.

### **8710.5000 CORE SKILLS FOR TEACHERS OF SPECIAL EDUCATION.**

Subpart 1. Licensure requirements. A candidate recommended for licensure in special education shall complete the core skill area licensure requirements in subpart 2 as part of each special education teacher preparation program approved under part 8700.7600 by the Board of Teaching.

Subp. 2. Core skill areas. A teacher of special education possesses understandings and skills in special education foundations, processes, and instructional design and teaching in items A to D.

A. A teacher of special education understands the role of special education as one part of a single educational delivery system. The teacher must understand:

(1) historical and philosophical foundations, legal bases, and contemporary issues pertaining to the education of people with disabilities;

(2) roles and organizational structures of general and special education and the part they play in providing total services to all students;

(3) classification of disabilities, their characteristics and continuum of severity, and their educational implications;

(4) similarities and differences among the cognitive, physical, cultural, social, emotional, and communication needs of typical and exceptional individuals;

<p><b>KEY: PROPOSED RULES SECTION</b> — Underlining indicates additions to existing rule language. <b>Strike outs</b> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — Underlining indicates additions to proposed rule language. <b>Strike outs</b> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

(5) stereotyped attitudes toward people with disabilities and how these attitudes can positively or negatively impact student behavior; and

(6) the complexity of coexisting disabilities and the implications of this complexity for treatment and education of children.

B. A teacher of special education understands and applies referral, assessment, team planning, and placement procedures. The teacher must understand:

(1) rights and responsibilities of parents, students, teachers, and schools as these rights and responsibility relate to students with disabilities receiving a free appropriate public education;

(2) due process and data privacy requirements and how to provide procedural safeguards;

(3) requirements and procedures of prereferral interventions;

(4) components of a comprehensive, unbiased assessment;

(5) use, limitations, ethical concerns, and administration of formal and informal assessments and how to effectively communicate the results to the students, families, teachers, and other professionals;

(6) effects of various medications on the educational, cognitive, physical, social, and emotional behavior of individuals with disabilities;

(7) procedures to address a student's mental health needs;

(8) influence of cultural and linguistic diversity on assessment, eligibility, programming, and placement;

(9) direct relationship between assessment findings and individual educational program planning;

(10) full array of available service options; and

(11) how to establish case records including how to write technically adequate individual education program plans, transition plans, and assessment team summary reports.

C. A teacher of special education understands how to use individualized educational program plans to design and implement developmentally appropriate instruction and how to evaluate the program's effectiveness. The teacher must understand how to:

(1) adapt and modify curriculum and instruction to meet individual learner needs;

(2) apply remedial methods, strategies, and accommodations including assistive technologies to meet individual learner needs;

(3) conduct and use task analysis to appropriately sequence instruction;

(4) use crisis prevention and intervention strategies;

(5) apply behavioral theory and ethics in developing and implementing classroom behavior management plans;

(6) teach in a variety of environments;

(7) team teach in the general education environment and help general education teachers adapt and modify curriculum and instruction to accommodate student needs; and

(8) apply systematic procedures for compiling data on a student or a group of students for the purpose of continuous program evaluation and improvement.

D. A teacher of special education establishes and maintains positive, collaborative relationships with families and other professionals to support the student's development, learning, and well-being. The teacher must understand:

(1) the life-long impacts of disabilities on students and their families;

(2) family systems theory and knowledge of the dynamics, roles, and relationships within families and communities to planning and implementing services;

(3) the role of parents and caregivers as primary informal teachers of their children;

(4) how to assist families to identify their resources, priorities, and concerns in relation to their children's development;

(5) how to work collaboratively with family members in designing, implementing, and evaluating individual educational program plans;

(6) small group processes and their application to facilitating child study teams, individual educational program planning teams, and transition planning teams;

(7) structures supporting interagency collaboration, including interagency agreements, referral, and consultation;

(8) how to provide consultation and training in content areas specific to services for students and families and program organization and development; and

(9) how to direct and monitor the activities of paraprofessionals, aides, volunteers, and peer tutors.

Subp. 3. **Program requirements.** An institution applying to the Board of Teaching for approval to prepare teachers of special education in parts 8710.5100 to 8710.5800 shall incorporate the requirements of this part in each preparation program.

Subp. 4. **Effective date.** The requirements in this part are effective September 1, 2001, for all applicants for licensure in areas or fields in special education.

### **8710.5100 TEACHERS OF SPECIAL EDUCATION: BLIND OR VISUALLY IMPAIRED.**

Subpart 1. **Scope of practice.** A teacher of special education: blind or visually impaired is authorized to provide specially designed instruction, from birth through grade 12, to individuals with a broad range of medically diagnosed visual conditions, and to collaborate and consult with families, other classroom and special education teachers, and specialized service providers in designing and implementing individualized educational program plans for students.

Subp. 2. **License requirements.** A candidate for licensure to teach students from birth through grade 12 who are blind or visually impaired shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards of effective practice for licensing of beginning teachers in part 8710.2000;

C. demonstrate core skill requirements in part 8710.5000; and

D. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to licensure of teachers of special education: blind or visually impaired in subpart 3.

Subp. 3. **Subject matter standard.** A candidate for licensure as a teacher of special education: blind or visually impaired must complete a preparation program under subpart 2, item D, that must include the candidate's demonstration of the knowledge and skills in items A to E.

A. A teacher of special education: blind or visually impaired understands the central concepts, tools of inquiry, and history and context of blindness and visual impairments as a foundation on which to base practice. The teacher must understand:

(1) historical and philosophical foundations, legal bases, and contemporary issues pertaining to services to and the education of children and youth who are blind or visually impaired;

(2) current educational definitions, identification criteria and labeling issues, and entrance and exit criteria for services pertaining to individuals who are blind or visually impaired;

(3) development and use of the human visual system and basic terminology related to the structure, function, diseases, and disorders of the human visual system;

(4) the impact of blindness and low vision on the early development of the motor system, cognition, social and emotional interactions, independence, environmental awareness, and language and communication;

(5) the effect that attitudes about blindness and visual impairments can have on children and youth; and

(6) the impacts of other disabilities on children and youth who are blind or visually impaired.

B. A teacher of special education: blind or visually impaired understands referral, assessment, planning, and placement procedures specific to teaching students who are blind or visually impaired. The teacher must understand:

(1) referral and intervention procedures;

(2) use, limitations, ethical concerns, administration, and interpretation of formal and informal assessments and instructional measures for students who are blind or visually impaired and how to effectively communicate the results to the students, families, teachers, and other professionals;

(3) how to adapt and modify existing assessment tools and methods to accommodate the unique abilities and needs of students who are blind or visually impaired;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

(4) how to interview, gather and maintain information from parents, families, teachers, and others for the purpose of assessment and planning, developing, implementing, and evaluating individual education programs;

(5) writing instruments and devices for children and youth birth through grade 12 who are blind or visually impaired;

(6) basic principles and practices of orientation and mobility activities for children and youth birth through grade 12 who are blind or visually impaired;

(7) devices and strategies to optimize the use of vision including print, adaptive, optical, and nonoptical devices;

(8) uses and sources of appropriate materials, equipment, and adaptive, augmentative, and assistive technologies to meet the needs of children and youth who are blind or visually impaired;

(9) how children and youth birth through grade 12 who are blind or visually impaired can enhance the use of senses other than vision;

(10) how to transcribe, proofread, and interline materials using accepted Braille codes;

(11) various educational placement options and the selection of appropriate options based on the needs of the individual; and

(12) how to design individual plans that integrate assessment results and family priorities, resources, and concerns and that incorporate, when appropriate, nonacademic and academic goals and the appropriate use of augmentative, adaptive, and assistive technologies.

C. A teacher of special education: blind or visually impaired understands how to use individual education program plans to design and implement developmentally appropriate instruction for students who are blind or visually impaired. The teacher must understand how to:

(1) produce Braille materials using devices including the Braille writer, slate and stylus, and computer;

(2) apply methods for the development of auditory, tactual, and modified visual communication skills for children and youth birth through grade 12 who are blind or visually impaired;

(3) select and use adaptive, augmentative, and assistive technologies appropriate to individual needs;

(4) apply strategies and techniques for modifying instructional methods and materials for teaching children and youth who are blind or visually impaired;

(5) provide instruction in Braille using accepted codes in the Codes of American Usage of English Braille;

(6) use assistive technology and technical aids in the production of materials;

(7) develop, implement, and evaluate age-appropriate curriculum in reading, language arts, science, mathematics, and social studies;

(8) apply strategies for teaching self-advocacy and functional life skills relevant to independence, social skills, community and personal living, and employment;

(9) construct instructional sequences to teach transition skills based on the cognitive, affective, and academic strengths of each student and plans for transitioning to the next educational setting or to employment; and

(10) monitor, summarize, and evaluate the acquisition of the outcomes stated in the student's individual plans.

D. A teacher of special education: blind or visually impaired communicates and interacts with students, families, other teachers, and the community to support student learning and well-being. The teacher must understand:

(1) how to assist students and their parents in making choices that impact academic and occupational decisions;

(2) sources of unique services, networks, agencies, and organizations for individuals who are blind or visually impaired including rehabilitation agencies, volunteer organizations, private nonprofit organizations, and federal entitlements that relate to the provision of specialized equipment and materials;

(3) the roles of related services including occupational therapists, physical therapists orientation, and mobility specialists;

(4) the educational roles and responsibilities of other teachers and support personnel in providing educational services to students who are blind or visually impaired;

(5) structures supporting interagency collaboration and how to implement, monitor, and evaluate interagency agreements and transition plans;

(6) school, community, and social services appropriate to individuals who are blind or visually impaired and how to identify and access services that will enhance instruction and programming; and

(7) how to access and evaluate information relevant to the field of blindness and visual impairment through consumer and professional organizations, publications, and journals.

E. A teacher of special education: blind or visually impaired applies the standards of effective practice in teaching students who are blind or visually impaired through a variety of early and ongoing clinical experiences with prekindergarten, kindergarten or primary, intermediate or middle level, and high school students across a range of service delivery models.

Subp. 4. **Continuing licensure.** A continuing license shall be issued and renewed according to rules of the Board of Teaching governing continuing licenses.

Subp. 5. **Effective date.** Requirements in this part for licensure as a teacher of special education: blind or visually impaired are effective on September 1, 2001, and thereafter.

#### **8710.5200 TEACHERS OF SPECIAL EDUCATION: DEAF OR HARD OF HEARING.**

Subpart 1. **Scope of practice.** A teacher of special education: deaf or hard of hearing is authorized to provide specially designed instruction, from birth through grade 12, to individuals with a broad range of hearing loss and to collaborate and consult with families, other classroom and special education teachers, and specialized service providers in designing and implementing individualized educational program plans for students.

Subp. 2. **License requirements.** A candidate for licensure to teach, from birth through grade 12, individuals who are deaf or hard of hearing shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000;

C. demonstrate core skill requirements in part 8710.5000; and

D. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of special education: deaf or hard of hearing in subpart 3.

Subp. 3. **Subject matter standard.** A candidate for licensure as a teacher of special education: deaf or hard of hearing must complete a preparation program under subpart 2, item D, that must include the candidate's demonstration of the knowledge and skills in items A to F.

A. A teacher of special education: deaf or hard of hearing understands the central concepts, tools of inquiry, and history and context of deaf or hard of hearing as a foundation on which to base practice. The teacher must understand:

(1) historical and philosophical foundations, legal bases, and contemporary issues pertaining to services to and the education of children and youth who are deaf or hard of hearing;

(2) current educational definitions, identification criteria and labeling issues, and entrance and exit criteria for services pertaining to individuals who are deaf or hard of hearing;

(3) models, theories, and philosophies that provide the basis for education of students who are deaf or hard of hearing including bilingual-bicultural, total communication, SimCom, and oral/aural;

(4) etiologies of hearing loss that can result in additional sensory, motor, or learning differences in students who are deaf or hard of hearing;

(5) effects of sensory input on the development of language and the social and emotional development of children and youth who are deaf or hard of hearing;

(6) the fundamentals of information processing theory; and

(7) beliefs, traditions, and values across cultures and within society and the impact of these on children and youth who are deaf or hard of hearing, their families, and their schooling.

B. A teacher of special education: deaf or hard of hearing understands deaf culture and is able to communicate in the modality or language used by students. The teacher must:

(1) understand principles of communication modes used by students who are deaf or hard of hearing;

(2) understand current theories of language development and second language acquisition;

(3) understand theories of linguistics, including linguistics of American sign language and its history in the deaf culture;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

(4) be able to use manually coded communications to include cued speech or SimCom;

(5) demonstrate an intermediate-plus level of American sign language proficiency on the Signed Communication Proficiency Interview (SCPI);

(6) understand deaf culture from a variety of perspectives, including the historical, geographical, political, and contemporary viewpoints;

(7) understand the history, customs, and practices of deaf culture sufficient for comprehending why current conditions exist; and

(8) understand how to bridge communication and cultural systems.

C. A teacher of special education: deaf or hard of hearing understands referral, assessment, planning, and placement procedures specific to teaching students who are deaf or hard of hearing. The teacher must understand:

(1) referral and intervention procedures;

(2) use, limitations, ethical concerns, administration, and interpretation of formal and informal assessments and instructional measures for students who are deaf or hard of hearing and how to effectively communicate the results to the students, families, teachers, and other professionals;

(3) how to adapt and modify existing assessment tools and methods to accommodate the unique abilities and needs of students who are deaf or hard of hearing;

(4) how to interview, gather, and maintain information from parents, families, teachers, and others for the purpose of assessment and planning, developing, implementing, and evaluating individual education programs;

(5) how to administer appropriate assessment tools using the natural, native, or preferred language of the student who is deaf or hard of hearing;

(6) how to use exceptionality specific assessment instruments appropriate for children and youth who are deaf or hard of hearing including the SAT-HI, TERA-DHH, and FSST;

(7) how to assess phonological, morphological, syntactical, semantic, charemic, and nonmanual markers development of language of students who are deaf or hard of hearing;

(8) various systems used by public agencies to screen for hearing loss in children, with emphasis on early detection and prevention;

(9) how to assess and recommend alternative communication systems and manage their use by others;

(10) how to monitor the functioning of hearing aids, auditory training equipment, and assistive technology;

(11) techniques for optimizing residual hearing in students who are deaf or hard of hearing;

(12) uses and sources of appropriate materials, equipment, and adaptive, augmentative, and assistive technologies to meet the needs of children and youth who are deaf or hard of hearing;

(13) how to facilitate ongoing interactions of students who are deaf or hard of hearing with deaf or hard of hearing peers and with hearing peers;

(14) various educational placement options and selection of appropriate options based on the needs of the individual; and

(15) how to design individual plans that integrate assessment results and family priorities, resources, and concerns and that incorporate, when appropriate, nonacademic and academic goals and the appropriate use of augmentative, adaptive, and assistive technologies.

D. A teacher of special education: deaf or hard of hearing understands how to use individual education program plans to design and implement developmentally appropriate instruction for students who are deaf or hard of hearing. The teacher must understand how to:

(1) adapt instructional processes and classroom environments to meet the physical, cognitive, cultural, and communication needs of children and youth who are deaf or hard of hearing;

(2) provide for the early development of visual, speech, and auditory modalities to accommodate the hearing loss;

(3) facilitate independent communication behavior in children and youth who are deaf or hard of hearing;

(4) establish and use an oral auditory instructional environment for students who are deaf or hard of hearing as appropriate;

(5) design learning environments that maximize opportunities for visual oriented, tactual, and auditory learning as appropriate;

(6) develop, implement, and evaluate age-appropriate curriculum in reading, mathematics, and language skills;

(7) select, use, and manage age-appropriate teaching and communication strategies for language growth including second language acquisition strategies and activities for promoting literacy in English and American sign language;

(8) incorporate into the academic program speech skills that are consistent with the education plan and the student's preferred communication mode;

(9) use strategies for teaching self-advocacy;

(10) effectively use educational interpreters, tutors, and notetakers;

(11) construct instructional sequences to teach transition skills based on the cognitive, affective, and academic strengths of each student and plans for transitioning to the next educational setting or to employment; and

(12) monitor, summarize, and evaluate the acquisition of the outcomes stated in the individual plans.

E. A teacher of special education: deaf or hard of hearing communicates and interacts with students, families, other teachers, and the community to support student learning and well-being. The teacher must understand:

(1) how to assist students and their parents in making choices that impact academic and occupational decisions;

(2) structures supporting interagency collaboration and how to implement, monitor, and evaluate interagency agreements and transition plans;

(3) sources of unique services, networks, agencies, and organizations for individuals who are deaf or hard of hearing;

(4) school, community, and social service agencies appropriate to individuals who are deaf or hard of hearing and how to access services that will enhance instruction and programming;

(5) the educational roles and responsibilities of other teachers and support personnel including educational interpreters, tutors, and notetakers in providing education services to students who are deaf or hard of hearing; and

(6) how to access information relevant to the field of deafness and hearing loss through consumer and professional organizations, publications, and journals.

F. A teacher of special education: deaf or hard of hearing shall apply the standards of effective practice in teaching students who are deaf or hard of hearing through a variety of early and ongoing clinical experiences with prekindergarten, kindergarten or primary, intermediate or middle level, and high school students across a range of service delivery models.

#### **Subp. 4. Continuing licensure.**

A. Teachers who have not achieved a survival plus proficiency in American sign language on the Signed Communication Proficiency Interview (SCPI) shall renew a continuing license according to rules of the Board of Teaching governing continuing licenses. Compliance of these requirements for a teacher of special education: deaf or hard of hearing must include 60 clock hours of continuing education in American sign language, American sign language linguistics, or deaf culture, and evidence of having achieved or attempted to achieve a survival plus level of American sign language proficiency on the Signed Communication Proficiency Interview (SCPI).

B. Teachers who have achieved a survival plus proficiency level in American sign language on the Signed Communication Proficiency Interview (SCPI) shall renew a continuing license according to rules of the Board of Teaching governing continuing licenses and must include 60 clock hours of continuing education in American sign language, American sign language linguistics, or deaf culture.

Subp. 5. **Incorporation by reference.** For the purposes of this part, the Signed Communication Proficiency Interview (SCPI) Guidelines published in August 1994 by the National Technical Institute for the Deaf, Rochester Institute of Technology, 52 Lomb Memorial Drive, Rochester, NY 14623-5604, and subsequent editions are incorporated by reference. The guidelines are not subject to frequent change and are available from the State Law Library.

Subp. 6. **Effective date.** Requirements in this part for licensure as a teacher of special education: deaf or hard of hearing are effective on September 1, 2001, and thereafter.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

### **8710.5300 TEACHERS OF SPECIAL EDUCATION: DEVELOPMENTAL ADAPTED PHYSICAL EDUCATION.**

**Subpart 1. Scope of practice.** A teacher of special education: developmental adapted physical education is authorized to provide specially designed instruction in physical education to students with identified disabilities in prekindergarten through grade 12 who have special education needs in the areas of physical fitness and gross motor skills, and to collaborate and consult with families, other classroom and special education teachers, and specialized service providers in designing and implementing individualized physical educational program plans for the students.

**Subp. 2. License requirements.** A candidate for licensure as a teacher of special education: developmental adapted physical education to teach in prekindergarten through grade 12, students who need an individualized physical education plan shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. hold or apply and qualify for a valid Minnesota physical education teaching license;

C. demonstrate core skill requirements in part 8710.5000; and

D. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of special education: developmental adapted physical education in subpart 3.

**Subp. 3. Subject matter standard.** A candidate for licensure as a teacher of special education: developmental adapted physical education must complete a preparation program under subpart 2, item D, that must include the candidate's demonstration of the knowledge and skills in items A to E.

A. A teacher of special education: developmental adapted physical education understands the central concepts, tools of inquiry, history, and context of developmental adapted physical education. The teacher must understand:

(1) historical and philosophical foundations, legal bases, and contemporary issues pertaining to services to and the education of students with identified disabilities as the issues apply to physical fitness and gross motor skills;

(2) current educational definitions, identification criteria and labeling issues, and entrance and exit criteria for services pertaining to individuals who have disabilities relating to physical fitness and gross motor skills;

(3) theoretical foundations and sequences of typical and atypical motor learning, motor development, and motor skills acquisition from birth to adulthood relating to physical fitness and gross motor skills;

(4) lifespan implications of medical, health, skeletal, and neurological conditions on motor learning and development from typical and atypical perspectives;

(5) principles of anatomical structure, physiology, and kinesiology across the lifespan from a typical and atypical development perspective;

(6) how disabling conditions and behaviors with single- and cross categorical disabilities interrelate with motor functioning and motor skill acquisition; and

(7) impacts of atypical motor development and function on the educational, social, and psychological well-being of students.

B. A teacher of special education: developmental adapted physical education understands referral, assessment, planning, and placement procedures specific to teaching students with disabilities in physical fitness and gross motor skills. The teacher must understand:

(1) referral and intervention procedures;

(2) use, limitations, ethical concerns, administration, and interpretation of formal and informal assessments for students with identified disabilities in physical fitness and gross motor skills and how to effectively communicate the results to the students, families, teachers, and other professionals;

(3) how to adapt and modify existing assessment tools and methods to accommodate the unique abilities and needs of students with disabilities in physical fitness and gross motor skills;

(4) health-related aspects of physical fitness and their implications for students with disabilities;

(5) the mechanics and application of assistive devices toward the acquisition of physical fitness and motor skills;

(6) various educational placement options and the selection of appropriate options based on the needs of the individual; and

(7) how to design individual plans that integrate assessment results and family priorities, resources, and concerns that incorporate, when appropriate, academic and nonacademic goals and the appropriate use of augmentative, adaptive, and assistive technologies in the physical education setting.

C. A teacher of special education: developmental adapted physical education understands how to use individual education program plans to design and implement developmentally appropriate instruction for students with disabilities in the areas of physical fitness and gross motor skills. The teacher must understand how to:

(1) develop, select, adapt, and use a variety of instructional resources, strategies, and techniques to implement developmental adapted physical education services as part of a student's accommodation plan or individual educational program plan;

(2) select and adapt equipment essential to instruction in physical fitness and gross motor skills;

(3) establish learning environments that enable students with disabilities to safely and actively participate in motor programming;

(4) apply techniques for communicating with students who are nonverbal or have limited verbal expression;

(5) apply strategies for teaching self-advocacy and functional life skills relevant to independence, social skills, community and personal living, and employment;

(6) provide students with learning experiences that will enable them to be life-long participants in physical recreation and leisure activities; and

(7) monitor, summarize, and evaluate the acquisition of outcomes stated in the individual plans.

D. A teacher of special education: developmental adapted physical education communicates and interacts with students, families, other teachers, and the community to support student learning and well-being. The teacher must understand:

(1) how to assist students and their parents in making choices that impact academic and occupational decisions;

(2) sources of unique services, networks, agencies, and organizations for students with identified disabilities who have special education needs in physical fitness and gross motor skills;

(3) educational roles and responsibilities of other teachers and support personnel in providing educational services to students with identified disabilities in physical fitness and gross motor skills;

(4) roles of occupational therapists and physical therapists in relationship to delivering developmental adapted physical education services;

(5) how to collaborate with caregivers to locate community and state resources for further participation in leisure and recreational activities for children and youth with disabilities; and

(6) how to access information relevant to the field of developmental adapted physical education through consumer and professional organizations, publications, and journals.

E. A teacher of special education: developmental adapted physical education applies the standards of effective practice in teaching students who have special education needs in the development of the students' physical fitness and gross motor skills through a variety of early and ongoing clinical experiences with prekindergarten, kindergarten or primary, intermediate or middle level, and high school students across a range of service delivery models.

**Subp. 4. Continuing licensure.** A continuing license shall be issued and renewed according to rules of the Board of Teaching governing continuing licenses.

**Subp. 5. Effective date.** Requirements in this part for licensure as a teacher of special education: developmental adapted physical education are effective on September 1, 2001, and thereafter.

### **8710.5400 TEACHERS OF SPECIAL EDUCATION: DEVELOPMENTAL DISABILITIES.**

**Subpart 1. Scope of practice.** A teacher of special education: developmental disabilities is authorized to provide specially designed instruction in kindergarten through grade 12 to students with a broad range of cognitive impairments and deficits in adaptive behavior and to collaborate and consult with families, other classroom and special education teachers, and specialized service providers in designing and implementing individualized educational program plans for students.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

**Subp. 2. License requirements.** A candidate for licensure as a teacher of special education developmental disabilities to teach students with developmental disabilities in kindergarten through grade 12 shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards of effective practice for licensing of beginning teachers enumerated in part 8710.2000;

C. demonstrate core skill requirements in part 8710.5000; and

D. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of special education: developmental disabilities enumerated in subpart 3.

**Subp. 3. Subject matter standard.** A candidate for licensure as a teacher of special education: developmental disabilities must complete a preparation program under subpart 2, item C, that must include the candidate's demonstration of the knowledge and skills in items A to E.

A. A teacher of special education: developmental disabilities understands the central concepts, tools of inquiry, and history and context of developmental disabilities as a foundation on which to base practice. The teacher must understand:

(1) historical and philosophical foundations, legal bases, and contemporary issues pertaining to services to and the education of children and youth with a broad range of cognitive impairments and deficits in adaptive behavior;

(2) the etiology, characteristics, and classifications of developmental disabilities;

(3) current educational definitions, identification criteria and labeling issues, and entrance and exit criteria for services pertaining to students with developmental disabilities;

(4) general developmental, academic, social, and functional characteristics of individuals with developmental disabilities as they relate to levels of support needed;

(5) research-based theories of behavior problems exhibited by individuals with developmental disabilities;

(6) social-emotional aspects of developmental disabilities, including adaptive behavior, social competence, social isolation, and learned helplessness and the impact on family and community relationships;

(7) impact of multiple disabilities on learning and behavior; and

(8) medical aspects and terminology of cognitive impairments, disabilities, and their implications for learning.

B. A teacher of special education: developmental disabilities understands referral, assessment, planning, and placement procedures specific to teaching students with developmental disabilities. The teacher must understand:

(1) referral and intervention procedures;

(2) use, limitations, ethical concerns, administration, and interpretation of formal and informal assessments for students with developmental disabilities and how to effectively communicate the results to the students, families, teachers, and other professionals;

(3) factors that may influence the over- and under-representation of culturally or linguistically diverse students in programs for students with developmental disabilities;

(4) how to adapt and modify existing assessment tools and methods to accommodate the unique abilities and needs of students with developmental disabilities;

(5) how to interview, gather, and maintain information from parents, families, teachers, and other professionals for the purpose of assessment and planning, developing, implementing, and evaluating individual education programs;

(6) how to assess and accommodate for architectural barriers in the educational setting;

(7) how to use and maintain orthotic, prosthetic, assistive, and adaptive equipment effectively;

(8) uses and sources of appropriate materials, equipment, and adaptive, augmentative, and assistive technologies to meet the needs of children and youth with developmental disabilities;

(9) how to manage student support needs including the medical complications and implications of tube feeding, catheterization, seizure management, and CPR;

(10) various educational models and setting options and the selection of appropriate options based on the needs of the student; and

(11) how to design individual plans that integrate assessment results, family priorities, resources, and concerns and that incorporate, when appropriate, nonacademic and academic goals and the appropriate use of augmentative, adaptive, and assistive technologies.

C. A teacher of special education: developmental disabilities understands how to use individual education program plans to design and implement developmentally appropriate instruction for students with developmental disabilities. The teacher must understand how to:

(1) apply research-supported instructional strategies and practices, including functional developmental disabilities skills approach, community-based instruction, task analysis, multisensory, and concrete or manipulative techniques;

(2) select, adapt, and implement developmentally appropriate classroom management strategies for students with developmental disabilities;

(3) establish classroom environments to meet the physical, cognitive, cultural, and communication needs of children and youth with developmental disabilities;

(4) design, adapt, modify, implement, and evaluate instructional programs, processes, and materials to enhance student participation in domestic and family, school, recreation or leisure, community, and work life;

(5) use instructional strategies, adaptive technologies, and sources of specialized materials for students with developmental disabilities;

(6) assist students in using and maintaining alternative and augmentative communication systems;

(7) implement recommended mobility techniques;

(8) stimulate language development, teach basic academic and literacy skills, and integrate art, music, and body movement into the instruction;

(9) manage student self-care, health, and safety needs;

(10) construct instructional sequences to teach transition skills based on cognitive, affective, and academic strengths of each student and plans for transition from school to postsecondary training and employment; and

(11) monitor, summarize, and evaluate the acquisition of the outcomes stated in the individual plans.

D. A teacher of special education: developmental disabilities communicates and interacts with students, families, other teachers, and the community to support student learning and well-being. The teacher must understand:

(1) how to assist students and their parents in making choices that impact academic and occupational decisions;

(2) sources of unique services, networks, agencies, and organizations for individuals with developmental disabilities;

(3) the structures supporting interagency collaboration and how to implement, monitor, and evaluate interagency agreements and transition plans;

(4) the educational roles and responsibilities of other teachers and support personnel in providing educational services to students with developmental disabilities;

(5) school, community, and social services appropriate to individuals with developmental disabilities and how to identify and access services that will enhance instruction and programming; and

(6) how to access and evaluate information relevant to the field of developmental disabilities through consumer and professional organizations, publications, and journals.

E. A teacher of special education: developmental disabilities applies the standards of effective practice in teaching students with developmental disabilities through a variety of early and ongoing clinical experiences with kindergarten or primary, intermediate or middle level, and high school students across a range of service delivery models.

Subp. 4. Continuing licensure. A continuing license shall be issued and renewed according to rules of the Board of Teaching governing continuing licenses.

Subp. 5. Effective date. Requirements in this part for licensure as a teacher of special education: developmental disabilities are effective on September 1, 2001, and thereafter.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

### **8710.5500 TEACHERS OF SPECIAL EDUCATION: EARLY CHILDHOOD.**

**Subpart 1. Scope of practice.** A teacher of special education: early childhood is authorized to provide specifically designed instruction to children, birth through age six, who exhibit a broad range of developmental delays or disabilities or medical complications and to collaborate and consult with families, other classroom and special education teachers, and specialized service providers in designing and implementing individualized education program plans for students.

**Subp. 2. License requirements.** A candidate for licensure as a teacher of special education: early childhood to teach, from birth to age six, children with developmental delays, developmental disabilities, or medical complications shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers enumerated in part 8710.2000;

C. demonstrate core skill requirements in part 8710.5000; and

D. show verification of completing a Board of Teaching approved preparation program under part 8700.7600 leading to the licensure of teachers of special education: early childhood in subpart 3.

**Subp. 3. Subject matter standard.** A candidate for licensure as a teacher of special education: early childhood must complete a preparation program under subpart 2, item D, that must include the candidate's demonstration of the knowledge and skills in items A to E.

A. A teacher of special education: early childhood understands the central concepts, tools of inquiry, and history and context of developmental delays and disabilities and medical conditions as a foundation on which to base practice. The teacher must understand:

(1) historical and philosophical foundations, legal bases, and contemporary issues pertaining to services to and the education of young children with disabilities;

(2) etiology, characteristics, and classification of specific disabilities and medical conditions and their developmental and educational implications on infants, toddlers, and young children;

(3) current educational definitions, identification criteria and labeling issues, and entrance and exit criteria pertaining to young children with disabilities and medical conditions;

(4) ethical and policy issues related to educational, social, and medical services unique to young children with disabilities and their families;

(5) how to apply due process safeguards for young children with disabilities; and

(6) disorders and delays associated with early cognitive development, gross and fine motor development, early sensory development, social and emotional development, and language development.

B. A teacher of special education: early childhood understands referral, assessment, planning, and placement practices specific to teaching children from birth through age six who exhibit a broad range of developmental delays or disabilities or medical complications. The teacher must understand:

(1) referral and intervention procedures;

(2) the use, limitations, ethical concerns, administration and interpretation of formal and informal assessments for young children with disabilities, and how to effectively communicate the results to the students, families, teachers, and other professionals;

(3) how to adapt and modify existing assessment tools and methods to accommodate the unique abilities and needs of young children with disabilities;

(4) how to interview, gather, and maintain information from parents, families, teachers, and others for the purpose of assessment and planning, developing, implementing, and evaluating the individual family service plan and the individual education program;

(5) aspects of medical care for premature, low birth weight, and other medically fragile infants including methods employed in the care of young children dependent on technology;

(6) techniques appropriate for premature, low birth weight, and other medically fragile babies when implementing the individual family service plan or the individual education program plan;

(7) various educational models and setting options and the selection of appropriate options based on the needs of the child; and

(8) how to design individual plans that integrate assessment results and family priorities, resources, and concerns and that incorporate, when appropriate, preacademic and academic goals and the appropriate use of adaptive, augmentative, and assistive technologies.

C. A teacher of special education: early childhood understands how to use individual family services plans and individual education program plans to design and implement developmentally appropriate instruction for young children with developmental delays or disabilities or medical conditions. The teacher must understand how to:

(1) apply intervention curricula and methods for young children with specific disabilities including motor, sensory, health, communication, social-emotional, and cognitive disabilities;

(2) facilitate developmentally and functionally appropriate individual and group activities unique to infants, toddlers, and young children with disabilities;

(3) implement methods of behavior support and management appropriate for young children with disabilities;

(4) provide a variety of stimulus-rich formats unique to young children with disabilities, including play, environmental routines, parent-mediated activities, small group projects, cooperative learning, inquiry experiences, and systematic instruction;

(5) apply current research and recommended practices with emphasis on cognitive, motor, social-emotional, communication, adaptive, and aesthetic development in learning situations within the family;

(6) implement basic health, nutrition, and safety management practices unique to young children with disabilities, including specific procedures for infants and toddlers and procedures regarding childhood illness and communicable diseases;

(7) apply ways of linking current developmental and learning experiences and teaching strategies with those of the next educational setting for young children with disabilities; and

(8) monitor, summarize, and evaluate the acquisition of child and family outcomes included in individual family services plans or individual education program plans.

D. A teacher of special education: early childhood communicates and interacts with students, families, other teachers and the community to support student learning and well-being. The teacher must understand:

(1) sources of unique services, networks, agencies, and organizations for young children who exhibit a broad range of developmental delays or disabilities or medical complications;

(2) structures supporting interagency collaboration and how to implement, monitor, and evaluate interagency agreements and transition plans;

(3) school, community, and social services appropriate for young children with special needs and how to identify and access services that will enhance programs for young children with developmental delays or disabilities and medical conditions;

(4) the educational roles and responsibilities of other teachers and support personnel in providing educational services to young children with disabilities;

(5) ways of assisting the family in planning for transition of young children with disabilities;

(6) processes and strategies that support transitions among hospital, home, infant and toddler, preprimary, and primary programs; and

(7) how to access information relevant to the field of early childhood special education from consumer and professional organizations, publications, and journals.

E. A teacher of special education: early childhood applies the standards of effective practice in teaching children with developmental delays or disabilities or medical conditions through a variety of early and ongoing clinical experiences with infants, toddlers, and preprimary children across a range of service delivery models.

Subp. 4. **Continuing licensure.** A continuing license shall be issued and renewed according to rules of the Board of Teaching governing continuing licenses.

Subp. 5. **Effective date.** Requirements in this part for licensure as a teacher of special education: early childhood are effective on September 1, 2001, and thereafter.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

### **8710.5600 TEACHERS OF SPECIAL EDUCATION: EMOTIONAL BEHAVIORAL DISORDERS.**

**Subpart 1. Scope of practice.** A teacher of special education: emotional behavioral disorders is authorized to provide instruction in kindergarten through grade 12 to students who are experiencing emotional behavioral disorders requiring accommodations, strategies, and interventions and to collaborate and consult with families, other classroom and special education teachers, and specialized service providers in designing and implementing individualized education program plans for students.

**Subp 2. License requirements.** A candidate for licensure to teach students with emotional behavioral disorders in kindergarten through grade 12 shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards of effective practice for licensing of beginning teachers in part 8710.2000;

C. demonstrate core skill requirements in part 8710.5000; and

D. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure as a teacher of special education: emotional behavioral disorders in subpart 3.

**Subp. 3. Program requirements.** A candidate for licensure as a teacher of special education: emotional behavioral disorders must complete a preparation program under subpart 2, item D, that must include the candidate's demonstration of the knowledge and skills in items A to E.

A. A teacher of special education: emotional behavioral disorders understands the central concepts, tools of inquiry, and history and context of emotional behavioral disorders as a foundation on which to base practice. The teacher must understand:

(1) historical and philosophical foundations, legal bases, and contemporary issues pertaining to services to and the education of children and youth with emotional behavioral disorders;

(2) current educational definitions, identification criteria and labeling issues, and entrance and exit criteria pertaining to children and youth with emotional behavioral disorders;

(3) etiology, characteristics, and classifications of emotional behavioral disorders;

(4) social development theory;

(5) socioeconomic factors that impact students experiencing an emotional behavioral disorder;

(6) impact of disabling conditions on behaviors;

(7) impacts of abuse and dependency on individuals, their families, and the community;

(8) factors that build resiliency;

(9) how aggression, anxiety, withdrawal, and thought disorder affect behavior;

(10) the legal system as it affects children and youth with emotional behavioral disorders;

(11) the major mental health disorders manifested during childhood, adolescence, and adulthood and the complexities of comorbidity including behavioral manifestations of these disorders;

(12) nationally accepted psychiatric nomenclature necessary to communicate effectively with families, mental health professionals, and other personnel across agencies; and

(13) the relationship between emotional behavioral disorders and children's mental health.

B. A teacher of special education: emotional behavioral disorders understands referral, assessment, planning, and placement procedures specific to teaching students with emotional behavioral disorders. The teacher must understand:

(1) referral and intervention procedures;

(2) use, limitations, ethical concerns, administration and interpretation of formal and informal assessments for students with emotional behavioral disorders and how to effectively communicate the results to the students, families, teachers, and other professionals;

(3) how to adapt and modify existing assessment tools and methods to accommodate the unique abilities and needs of students with emotional behavioral disorders;

(4) how to interview, gather, and maintain information from parents, families, teachers, and others for the purpose of assessment and planning, developing, implementing, and evaluating individual education programs;

(5) factors that may influence the over- and under-representation of culturally or linguistically diverse students in programs for students with emotional behavioral disorders;

- (6) rationale for selecting specific behavior management strategies for students experiencing emotional behavioral disorders;
- (7) various educational placement options and the selection of appropriate options based on the needs of the student; and
- (8) how to integrate assessment results and information generally available from family, school personnel, legal system, department of social and health services, and mental health agencies in developing individual education program plans.

C. A teacher of special education: emotional behavioral disorders understands how to use individual education program plans to design and implement developmentally appropriate instruction for students with emotional behavioral disorders. The teacher must understand how to:

- (1) identify target behaviors to be changed and the critical variables affecting the target behavior, including antecedent events and consequences;
- (2) develop, implement, and evaluate a systematic behavior management plan for students experiencing emotional behavioral disorders;
- (3) apply the theory and rationale underlying various curriculum approaches to basic skills and how to select and implement remedial strategies in academic skill areas;
- (4) integrate academic instruction, affective education, and behavior management for individual students and groups of students experiencing emotional behavior disorders;
- (5) design and use materials for skill development in social areas;
- (6) determine each student's reinforcement preference hierarchy and use different reinforcers to change and maintain behavior;
- (7) apply a variety of positive procedures and proactive strategies for managing targeted behaviors;
- (8) apply appropriate behavior management strategies and safety procedures to be used in crisis situations;
- (9) apply strategies for managing presenting behavior and specific educational-social problems, selecting a functional and safe classroom design, and establishing consistent classroom routines for students experiencing emotional behavioral disorders;
- (10) apply ethical and legal considerations in the effective use of intrusive behavioral interventions;
- (11) construct instructional sequences to teach transition skills based on the cognitive, affective, and academic strengths of each student and plans for transition from school to postsecondary training and employment; and
- (12) how to monitor, summarize, and evaluate the acquisition of the outcomes stated in the individual plans.

D. A teacher of special education: emotional behavioral disorders communicates and interacts with students, families, other teachers, and the community to support student learning and well-being. The teacher must understand:

- (1) how to assist students and their families in making choices that impact academic and occupational decisions;
- (2) sources of unique services, networks, agencies, and organizations for students with emotional behavioral disorders;
- (3) issues, resources, and strategies used to transition students experiencing emotional behavioral disorders into and out of alternative environments, including special centers, psychiatric hospitals, and residential treatment centers;
- (4) educational roles and responsibilities of other teachers and support personnel in providing educational services to students with emotional behavioral disorders;
- (5) the role and responsibilities of mental health professionals in providing services to students with emotional behavioral disorders and how this role differs from that of the teacher of special education, emotional behavioral disorders; and
- (6) how to access information relevant to the field of emotional behavioral disorders through consumer and professional organizations, publications, and journals.

E. A teacher of special education: emotional behavioral disorders applies the standards of effective practice in teaching students with emotional behavioral disorders through a variety of early and ongoing clinical experiences with kindergarten or primary, intermediate or middle level, and high school students across a range of service delivery models.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

Subp. 4. Continuing licensure. A continuing license shall be issued and renewed according to rules of the Board of Teaching governing continuing licenses.

Subp. 5. Effective date. Requirements in this part for licensure as a teacher of special education: emotional behavioral disorders are effective on September 1, 2001, and thereafter.

### **8710.5700 TEACHERS OF SPECIAL EDUCATION: LEARNING DISABILITIES.**

Subpart 1. Scope of practice. A teacher of special education: learning disabilities is authorized to provide specially designed instruction in reading, mathematics, written and oral expression, and listening comprehension, in kindergarten through grade 12 to students with learning disabilities or learning deficits and to collaborate and consult with families, other classroom and special education teachers, and specialized service providers in designing and implementing individualized educational program plans for students.

Subp. 2. License requirements. A candidate for licensure to teach students who are exhibiting significant deficits in reading, mathematics, written and oral expression, and listening comprehension in kindergarten through grade 12 shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards of effective practice for licensing of beginning teachers in part 8710.2000;

C. demonstrate core skill requirements in part 8710.5000; and

D. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of special education: learning disabilities in subpart 3.

Subp. 3. Subject matter standard. A candidate for licensure as a teacher of special education: learning disabilities must complete a preparation program under subpart 2, item D, that must include the candidate's demonstration of the knowledge and skills in items A to E.

A. A teacher of special education: learning disabilities understands the central concepts, tools of inquiry, and history and context of learning disabilities and learning deficits as a foundation on which to base practice. The teacher must understand:

(1) historical and philosophical foundations, legal bases, and contemporary issues pertaining to services to and the education of children and youth with learning disabilities or learning deficits;

(2) current educational definitions, identification criteria and labeling issues, and entrance and exit criteria pertaining to children and youth with learning disabilities or learning deficits;

(3) the etiology of learning disabilities and learning deficits;

(4) relationship between learning disabilities and other associated conditions including medical aspects of learning disabilities;

(5) impact of information processing deficits on children and youth with learning disabilities; and

(6) social or emotional aspects of children and youth with learning disabilities, including social skill deficits, mental health issues, juvenile delinquency, learned helplessness, and other conditions that occur with learning disabilities.

B. A teacher of special education: learning disabilities understands referral, assessment, planning, and placement procedures specific to teaching students with learning disabilities or learning deficits. The teacher must understand:

(1) referral and intervention procedures;

(2) use, limitations, ethical concerns, administration and interpretation of formal and informal assessments for students with learning disabilities or learning deficits, and how to effectively communicate the results to the students, families, teachers, and other professionals;

(3) how to adapt and modify existing assessment tools and methods to accommodate the unique abilities and needs of students with learning disabilities or learning deficits;

(4) factors that may influence the over- and under-representation of culturally or linguistically diverse students in programs for students with learning disabilities or learning deficits;

(5) impact of language development on the academic and social skills of children and youth with learning disabilities or learning deficits;

(6) various educational placement options and the selection of appropriate options based on the needs of the student;

(7) how to interview, gather, and maintain information from parents, families, teachers, and others for the purpose of assessment and planning, developing, implementing, and evaluating individual education programs; and

(8) how to design individual plans that integrate assessment results and family priorities, resources, and concerns and that incorporate, when appropriate, academic and nonacademic goals.

C. A teacher of special education: learning disabilities understands how to use individual education program plans to design and implement developmentally appropriate instruction for students with learning disabilities or learning deficits. The teacher must understand how to:

(1) teach reading, writing, and listening comprehension and how to modify this instruction for students with learning disabilities or learning deficits;

(2) teach mathematical reasoning and calculation and how to modify this instruction for students with learning disabilities or learning deficits;

(3) use strategies for teaching reasoning, problem solving skills, study skills, organizational skills, and coping skills;

(4) manage the social, emotional, and behavioral needs of students with learning disabilities or learning deficits;

(5) help students with learning disabilities or learning deficits transfer skills to the general education environment;

(6) construct instructional sequences to teach transition skills based on the cognitive, affective, and academic strengths of each student and plans for transition from school to postsecondary training and employment; and

(7) monitor, summarize, and evaluate the acquisition of the outcomes stated in the individual plans.

D. A teacher of special education: learning disabilities communicates and interacts with students, families, other teachers, and the community to support student learning and well-being. The teacher must understand:

(1) how to assist students and their parents in making choices that impact academic and occupational decisions;

(2) sources of unique services, networks, agencies, and organizations for individuals with learning disabilities or learning deficits;

(3) the educational roles and responsibilities of other teachers and support personnel in providing educational services to students with learning disabilities or learning deficits; and

(4) how to access information relevant to the field of learning disabilities and learning deficits through consumer and professional organizations, publications, and journals.

E. A teacher of special education: learning disabilities shall apply the standards of effective practice in teaching students with learning disabilities and learning deficits through a variety of early and ongoing clinical experiences with kindergarten or primary, intermediate or middle level, and high school students across a range of service delivery models.

Subp. 4. **Continuing licensure.** A continuing license shall be issued and renewed according to rules of the Board of Teaching governing continuing licenses.

Subp. 5. **Effective date.** Requirements in this part for licensure as a teacher of special education: learning disabilities are effective on September 1, 2001, and thereafter.

### **8710.5800 TEACHERS OF SPECIAL EDUCATION: PHYSICAL AND HEALTH DISABILITIES.**

Subpart 1. **Scope of practice.** A teacher of special education: physical and health disabilities is authorized to provide specialized instructional services in kindergarten through grade 12 to children and youth with medically diagnosed physical or health disabilities and to collaborate and consult with families, other classroom and special education teachers, and specialized service providers in designing and implementing individualized educational program plans for students.

Subp. 2. **License requirements.** A candidate for licensure to teach kindergarten through grade 12 students with physical or health disabilities shall:

A. hold a baccalaureate degree from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools;

B. demonstrate the standards for effective practice for licensing of beginning teachers in part 8710.2000;

C. demonstrate core skill requirements in part 8710.5000; and

D. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of teachers of special education: physical and health disabilities in subpart 3.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

**Subp. 3. Subject matter standard.** A candidate for licensure as a teacher of special education: physical and health disabilities must complete a preparation program under subpart 2, item D, that must include the candidate's demonstration of the knowledge and skills in items A to E.

**A.** A teacher of special education: physical and health disabilities understands the central concepts, tools of inquiry, and history and context of physical and health disabilities as a foundation on which to base practice. The teacher must understand:

(1) historical and philosophical foundations, legal bases, and contemporary issues pertaining to services to and the education of children and youth with medically diagnosed physical or health-related disabilities;

(2) the etiology, characteristics, and classification of physical and health-related disabilities and their developmental and educational implications on children and youth;

(3) current educational definitions, identification criteria and labeling issues, and entrance and exit criteria for services pertaining to students with physical or health-related disabilities;

(4) implications of physical and health disabilities on psychosocial, educational, vocational, and leisure outcomes for students;

(5) basic principles of human anatomy, physiology, pharmacology, kinesiology, and neurology;

(6) secondary health care issues which accompany specific physical and health disabilities;

(7) condition-specific needs as these needs relate to managing personal physical care for children and youth with physical or health disabilities;

(8) appropriate body mechanics to ensure student and teacher safety in transferring, lifting, positioning, and seating;

(9) first aid techniques and evacuation procedures necessary to maintain the safety of students in a variety of educational settings;

(10) how to assess reliable methods of response of individuals who lack typical communication and performance abilities;

(11) how to apply recommended universal precautions to maintain healthy environments; and

(12) common environmental and structural barriers that hinder accessibility and acceptance of individuals with physical and health disabilities.

**B.** A teacher of special education: physical and health disabilities understands referral, assessment, planning and placement procedures specific to teaching students with physical or health related disabilities. The teacher must understand:

(1) referral and intervention procedures;

(2) use, limitations, ethical concerns, administration and interpretation of formal and informal assessment for students with a physical or a health disability and how to effectively communicate the results to the students, families, teachers, and other professionals;

(3) how to adapt and modify existing assessment tools and methods to accommodate the unique abilities and needs of students with physical or health disabilities;

(4) major assessments used to measure motor, auditory, visual, and other learning modalities, and how to adapt and modify assessment measures appropriately for children and youth with physical or health disabilities;

(5) how to assess student need for and the ability to use assistive or adaptive technology;

(6) how to assess the functional skills of children and youth with a physical or health disability;

(7) how to assess for environmental and structural barriers;

(8) school setting adaptations necessary to accommodate the needs and abilities of children and youth with physical or health-related disabilities;

(9) how to interview, gather, and maintain information from parents, families, teachers, and other professionals for purposes of assessment and planning, developing, implementing, and evaluating educational services to students with physical or health disabilities;

(10) communication and social interaction alternatives for individuals who are nonverbal;

(11) uses and sources of appropriate materials, equipment, and adaptive, augmentative, and assistive technologies to meet the needs of children and youth with physical or health disabilities;

(12) various educational placement options and the selection of appropriate options based on the needs of the student;

(13) how to develop and use technology plans based on adaptive technology assessment and integrate these plans into the individual educational program plans; and

(14) how to design individual plans that integrate assessment-based needs results and family priorities, resources, and concerns; and that incorporate, when appropriate, academic and nonacademic goals and the appropriate use of augmentative, adaptive, and assistive technologies.

C. A teacher of special education: physical and health disabilities understands how to use individual education program plans to design and implement developmentally appropriate instruction for students with physical or other health-related impairments. The teacher must understand how to:

(1) interpret sensory, mobility, reflex, and perceptual information to create appropriate learning plans for children and youth with a physical or health disability;

(2) implement research-supported instructional practices, strategies, and adaptations necessary to accommodate the unique needs of students with physical or health disabilities;

(3) adapt, modify, and accommodate curriculum to optimize learning for children and youth with physical or health disabilities;

(4) apply the knowledge of fine-, gross-, and sensori-motor development to curriculum selection and design;

(5) construct instructional sequences to teach transition skills based on the cognitive, affective, and academic strengths of each student and plans for transition from school to postsecondary training and employment;

(6) apply strategies for teaching self-advocacy; and

(7) monitor, summarize, and evaluate the acquisition of the outcomes stated in the individual plans.

D. A teacher of special education: physical and health disabilities communicates and interacts with students, families, other teachers, and the community to support student learning and well-being. The teacher must understand:

(1) how to assist students and their parents in making choices that impact academic and occupational decisions;

(2) sources of unique services, networks, agencies, and organizations for students with physical or health disabilities;

(3) roles and responsibilities of related services personnel, including physicians, nurses, occupational therapists, physical therapists, prosthetists, rehabilitation engineers, and adapted physical education teachers in the education of students with physical or health disabilities;

(4) educational roles and responsibilities of other teachers and support personnel in providing educational services to students with physical or health-related disabilities;

(5) processes and strategies for providing integrated care for children and youth with a physical or health disability, particularly when students are transitioning from home, hospital, or rehabilitation facility to school; and

(6) how to access information relevant to the field of physical or health disabilities through consumer and professional organizations, publications, and journals.

E. A teacher of special education: physical and health disabilities applies the standards of effective practice in teaching students with physical or health disabilities through a variety of early and ongoing clinical experiences with kindergarten or primary, intermediate or middle level, and high school students across a range of service delivery models.

**Subp. 4. Continuing licensure.** A continuing license shall be issued and renewed according to rules of the Board of Teaching governing continuing licenses.

**Subp. 5. Effective date.** Requirements in this part for licensure as a teacher of special education: physical and health disabilities are effective on September 1, 2001, and thereafter.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

### **8710.6000 EDUCATIONAL SPEECH-LANGUAGE PATHOLOGIST.**

**Subpart 1. Scope of practice.** An educational speech-language pathologist is authorized to provide specialized speech/language services to prekindergarten through grade 12 students with identified communication disabilities including those affecting language, articulation, fluency, and voice.

**Subp. 2. Requirements for entrance licensure.** A license as an educational speech/language pathologist shall be granted to an applicant who provides evidence of having completed a master's degree in speech/language pathology from a program accredited by the Council on Academic Affairs of the American Speech-Language-Hearing Association or to an applicant who provides evidence of holding a valid certificate of clinical competence from the American-Speech-Language-Hearing Association.

**Subp. 3. Requirements for continuing licensure.** A continuing license requires verification of having had one year of full-time experience as an educational speech/language pathologist in a school setting while holding a valid Minnesota Board of Teaching entrance license.

**Subp. 4. Continuing license.** A continuing license shall be renewed according to the rules of the Board of Teaching governing continuing licensure.

**Subp. 5. Specialized renewal requirements for licenses issued prior to July 1, 1994.** After June 30, 2007, a person who makes application for renewal of continuing licensure as an educational speech/language pathologist, but who does not hold a master's degree in speech/language pathology, must provide evidence that at least 24-quarter hours or 16-semester hours of post-baccalaureate college credit in speech/language pathology or related special education instruction and services have been earned and comply with subpart 4.

**Subp. 6. Effective date.** Requirements in this part for licensure as an educational speech-language pathologist are effective on September 1, 2001, and thereafter.

### **8710.6100 SCHOOL NURSE.**

**Subpart 1. Scope of practice.** A school nurse is authorized to provide to prekindergarten through grade 12 students nursing services in a school setting.

**Subp. 2. Requirements for entrance licensure.** A candidate for licensure as a school nurse shall:

- A. hold a baccalaureate degree in nursing from a regionally accredited college or university;
- B. be currently registered in Minnesota to practice as a licensed registered nurse under the Board of Nursing; and
- C. be currently registered in Minnesota as a public health nurse under the Board of Nursing.

**Subp. 3. Requirements for continuing licensure.** A continuing license requires verification of current Minnesota Board of Nursing registration to practice as a licensed registered nurse and having had one year of full-time experience as a school nurse while holding a valid Minnesota school nurse entrance license.

**Subp. 4. Continuing license.** A continuing license shall be renewed according to the rules of the Board of Teaching governing continuing licensure. Evidence of current Minnesota Board of Nursing registration as a licensed registered nurse is also required.

**Subp. 5. Maintaining board of nursing registration.** In order to retain licensure as a school nurse, current registration as a registered nurse and registration as a public health nurse must be maintained at all times. Lapse of this registration or licensure is grounds for revocation of licensure as a school nurse.

Persons without baccalaureate degrees who hold valid licenses as school nurses may continue to renew their licenses under subpart 4, provided that requirements for renewal are met. However, if a license is allowed to lapse, persons must meet the licensure requirements in subpart 2 in order to receive a current school nurse license.

**Subp. 6. Effective date.** The requirements in this part for licensure as a school nurse are effective on September 1, 2001, and thereafter.

### **8710.6200 SCHOOL PSYCHOLOGIST.**

**Subpart 1. Scope of practice.** A licensed school psychologist is authorized to provide direct and indirect psychological services to prekindergarten through grade 12 students who are at risk of social and academic failure.

**Subp. 2. Requirements for entrance licensure.** A candidate for licensure as a school psychologist shall provide evidence of having completed a preparation program in school psychology accredited by the National Association of School Psychologists.

**Subp. 3. Requirements for continuing licensure.** A continuing license requires verification of having had one year of full-time experience as a school psychologist while holding a valid Minnesota school psychologist entrance license.

**Subp. 4. Continuing license.** A continuing license shall be renewed according to the rules of the Board of Teaching governing continuing licensure.

Subp. 5. **Effective date.** Requirements in this part for licensure as a school psychologist are effective on September 1, 2001, and thereafter.

### **8710.6300 SCHOOL SOCIAL WORKER.**

Subpart 1. **Scope of practice.** A school social worker is authorized to provide social work services to prekindergarten through grade 12 students in a school setting. Board of Teaching school social worker licensure is not authorization to practice as a social worker in a school setting without current Board of Social Work licensure to practice as a social worker.

Subp. 2. **Requirements for entrance licensure.** A candidate for licensure as a school social worker shall:

A. hold a baccalaureate or master's degree in social work from a program accredited by the Council on Social Work Education; and

B. be currently licensed in Minnesota to practice as a social worker under the Board of Social Work.

Subp. 3. **Requirements for continuing licensure.** A continuing license requires verification of current Minnesota Board of Social Work licensure to practice as a licensed social worker and of having had one year of full-time experience functioning as a school social worker while holding a valid Minnesota school social worker entrance license.

Subp. 4. **Continuing license.** A continuing license shall be renewed according to the rules of the Board of Teaching governing continuing licensure. Evidence of current Board of Social Work licensure is also required.

Subp. 5. **Maintaining board of social work licensure.** In order to retain licensure as a school social worker, current Minnesota Board of Social Work licensure must be maintained at all times. Lapse of Board of Social Work licensure is grounds for revocation of the school social worker license.

Subp. 6. **Effective date.** Requirements in this part for licensure as a school social worker are effective on September 1, 2001, and thereafter.

### **8710.6400 SCHOOL COUNSELOR.**

Subpart 1. **Scope of practice.** A school counselor is authorized to provide to kindergarten through grade 12 students school counseling services that focus on the promotion of preventive and educational strategies to enhance the cognitive, emotional, and behavioral development; effective decision-making skills; and resiliency capabilities of students.

Subp. 2. **Requirements for entrance licensure.** A candidate for school counselor licensure shall:

A. hold a master's degree or the equivalent from a college or university that is regionally accredited by the association for the accreditation of colleges and secondary schools; and

B. show verification of completing a Board of Teaching preparation program approved under part 8700.7600 leading to the licensure of school counselors in subpart 3 or provide evidence of having completed a preparation program in school counseling accredited by the Council for the Accreditation of Counseling and Related Educational Services.

Subp. 3. **Subject matter standard.** A candidate for licensure as a school counselor must complete a preparation program under subpart 2, item B, that must include the candidate's demonstration of the knowledge and skills in items A to K.

A. A school counselor understands the central concepts, tools of inquiry, and structures of professional school counseling and creates learning experiences that make education meaningful for students. The school counselor must understand:

(1) the major theories, assumptions, professional challenges and ethics, individual and group counseling methods, skills, and techniques that are central to professional school counseling;

(2) basic diagnostic classifications and referral mechanisms of the helping professions;

(3) comprehensive professional school counseling and guidance program development, implementation, management, and evaluation;

(4) the role and function in the total organizational, curricular, and academic structure of the school;

(5) the organizational structure and changing needs of the school;

(6) human growth and development;

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

(7) individual and group appraisal techniques;

(8) the need for and ability to demonstrate effective communication and human relations skills;

(9) social and cultural pluralism and diversity;

(10) consultation techniques;

(11) career theories, stages of career development, the changing world of work, school-to-work transitions, and lifestyle development;

(12) educational, career, and vocational interest assessment techniques and demonstrate the ability to provide accurate interpretations in this regard;

(13) academic curricular requirements of students in their respective school settings;

(14) career and academic postsecondary requirements and expectations;

(15) the special learning challenges facing students including collaboration with special education teams;

(16) the need for student advocacy, including crisis intervention, suicide prevention and intervention, violence prevention, conflict and disciplinary resolution and mediation, and how to mediate conflict and intervene effectively in conflict management and disciplinary prevention and intervention situations; and

(17) the integration of services model and coordination with related human services and how to effectively collaborate with human service networks.

B. A school counselor understands how children, youth, and adults learn and develop and provides learning opportunities that support their intellectual, social, and personal development. The school counselor must understand:

(1) human growth and development as it relates to the selection of appropriate counseling skills and techniques;

(2) human growth and development as they relate to career and academic development; and

(3) developmental, cognitive, and affective influences on learning and diverse learning styles as these influences relate to the comprehensive school counseling and guidance program.

C. A school counselor understands how students differ in their approaches to counseling and guidance and creates instructional and counseling opportunities that are adapted to students from diverse cultural backgrounds and with exceptionalities. The school counselor must understand the basis underlying:

(1) the application of multicultural counseling techniques;

(2) counseling approaches to students with special learning needs and areas of exceptionality; and

(3) counseling approaches related to gender.

D. A school counselor understands and uses a variety of instructional and counseling strategies to encourage student development of critical thinking, problem solving, and performance skills. The school counselor must understand:

(1) the implementation of learning strategies underlying classroom guidance instruction;

(2) the implementation of learning strategies underlying the provision of mental health curriculum;

(3) the associative links between instruction, behavior, and learning;

(4) the associative links between counseling, classroom guidance, and learning;

(5) the transfer of effective decision-making skills to lifelong learning, academic, and career choices; and

(6) contemporary guidance and counseling and mental health curricula, programs, and instructional materials.

E. A school counselor applies the understanding of individual and group motivation and behavior to create a counseling and learning environment that encourages positive social interaction, active engagement in learning, and self-motivation. The school counselor must understand:

(1) interpersonal dynamics in individual and group counseling settings;

(2) classroom guidance dynamics;

(3) motivational and learning characteristics, classroom guidance, and mental health curricula; and

(4) the application of counseling, human development, and career theories to classroom settings.

F. A school counselor uses knowledge of effective verbal, nonverbal, and media communication techniques to foster active inquiry, collaboration, and supportive interaction in the classroom. The school counselor must understand:

(1) theoretical approaches and applications of appropriate counseling communication skills in the individual, group, and classroom settings; and

(2) diverse counseling communication styles related to culture and gender.

G. A school counselor plans and manages counseling and guidance instruction based upon knowledge of subject matter, students, the community, and guidance curriculum goals. The school counselor must understand:

(1) curricular components of the comprehensive counseling and guidance program in the school setting;

(2) the link between school-to-community educational opportunities;

(3) the link between academic, career, and postsecondary planning and instruction; and

(4) how to integrate student emotion, behavior, cognition, and decision making in establishing guidance curriculum objectives.

H. A school counselor understands and uses formal and informal assessment strategies to evaluate and ensure continuous intellectual, social, and physical development of the learner. The school counselor must understand:

(1) the theoretical basis for educational, career, and other assessment techniques and interpretation for which they are appropriately trained;

(2) the basis for making recommendations to administration regarding testing and assessment in the total school curriculum;

(3) the principles of using assessment data and interpreting information in academic instruction and the counseling process;

(4) the ethical, legal, and cultural implications in the use of assessment data in academic instruction and the counseling process; and

(5) the process and implementation of evaluation of the comprehensive guidance and counseling program as a tool to provide optimum guidance and counseling services to students, parents or guardians, families, staff, and the community.

I. A school counselor is a reflective practitioner who continually evaluates the effects of choices and actions on others and who actively seek opportunities to grow professionally. The school counselor must understand:

(1) the historical and philosophical foundations of professional school counseling;

(2) contemporary and research influences on professional school counseling;

(3) the professional school counseling literature, research, organizations, and resources available to aid in the effective updating of the comprehensive guidance and counseling program; and

(4) the importance of self-care in the ability to provide counseling services.

J. A school counselor communicates and interacts with parents or guardians, families, school colleagues, and the community to support student learning and well-being. The school counselor must understand:

(1) the legal standards particular to professional school counseling;

(2) the ethical standards of relevant professional organizations; and

(3) professional collaboration, integration of services, and networking processes within the helping professions.

K. The school counselor demonstrates through prepracticum and practicum experiences the ability to provide educational counseling services to students. The practicum experiences must include a series of formal observations and directed instructional experiences with kindergarten or primary, intermediate, middle level, and senior high school students who are participating in a range of educational programming models.

Subp. 4. **Requirements for a continuing license.** A continuing license requires verification of having had one year of full-time school counseling experience while holding a valid Minnesota school counseling entrance license.

Subp. 5. **Renewal of a continuing license.** A continuing license shall be renewed according to the rules of the Board of Teaching governing continuing licensure.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

Subp. 6. **Effective date.** The requirements in this part for licensure as a school counselor for providing school counseling services to students in kindergarten through grade 12 are effective on September 1, 2001, and thereafter.

**INSTRUCTION TO REVISOR.** The revisor shall number the parts listed in column A with the numbers listed in column B and correct internal references.

<u>Column A</u>	<u>Column B</u>
<u>8700.0100</u>	<u>8710.0100</u>
<u>8700.0600</u>	<u>8710.0200</u>
<u>8700.0200</u>	<u>8710.0300</u>
<u>8700.0500</u>	<u>8710.0350</u>
<u>8700.7800</u>	<u>8710.0400</u>
<u>8700.0210</u>	<u>8710.0500</u>
<u>8700.0400</u>	<u>8710.0600</u>
<u>8700.0501</u>	<u>8710.0700</u>
<u>8700.0700</u>	<u>8710.0800</u>
<u>8700.0800</u>	<u>8710.0850</u>
<u>8700.2500</u>	<u>8710.0900</u>
<u>8700.0300</u>	<u>8710.1000</u>
<u>8700.0502</u>	<u>8710.1100</u>
<u>8700.7300</u>	<u>8710.1200</u>
<u>8700.7400</u>	<u>8710.1300</u>
<u>8700.2400</u>	<u>8710.1400</u>

**REPEALER.** *Minnesota Rules*, part 8700.2700, is repealed effective September 1, 2001. *Minnesota Rules*, part 8700.2810, is repealed.

### INCORPORATIONS BY REFERENCE:

Parts 8710.4150, subpart 6, and 8710.4950, subpart 8, item A: ACTFL Proficiency Guidelines published in 1986 by the American Council on the Teaching of Foreign Languages, 6 Executive Plaza, Yonkers, NY 10701-6801, and subsequent editions.

Parts 8710.4950, subpart 8, item B, and 8710.5200, subpart 5: the Signed Communication Proficiency Interview Guidelines published in August 1994 by the National Technical Institute for the Deaf, 52 Lomb Memorial Drive, Rochester, NY 14623-5604, and subsequent editions.

Available at state law library.

## Public Utilities Commission

### Proposed Permanent Rules Governing Standards for Users of Public Rights-of-Way

**DUAL NOTICE:** Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing If 25 or More Requests for Hearing Are Received

**Proposed Rules Governing Uniform Statewide Standards for Users of Public Rights-of-Way, *Minnesota Rules*, parts 7819.0050 - 7819.9950.**

**Introduction.** The Public Utilities Commission intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by 4:30 p.m. on December 2, 1998, a public hearing will be held in the Large Hearing Room of the Public Utilities Commission offices, 121 Seventh Place East Suite 350, St. Paul, Minnesota 55101-2147, starting at 9:00 A.M. on Wednesday, January 6, 1999. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after December 2, 1998, and before January 6, 1999.

**Agency Contact Person.** Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Ginny Zeller, Minnesota Public Utilities Commission, 121 Seventh Place East Suite 350, St. Paul, MN 55101-2147; PH: (651) 297-7072; FAX: (651) 297-7073. TTY users may call the Public Utilities Commission at (651) 297-1200.

**Subject of Rules and Statutory Authority.** The proposed rules are about statewide standards for: the terms and conditions of right-of-way construction, excavation, maintenance, and repair; and the terms and conditions under which telecommunications facilities and equipment are placed in the public right-of-way. The statutory authority to adopt the rules is *Minnesota Statutes*, section 237.163, subd. 8. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

**Comments.** You have until 4:30 p.m. on Wednesday, December 2, 1998, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on December 2, 1998. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

**Withdrawal of Requests.** If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**Alternative Format/Accommodation.** Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

**Modifications.** The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing.** The hearing scheduled for January 6, 1999, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (651) 297-7072 after December 2, 1998, to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Steve M. Mihalchick is assigned to conduct the hearing. Judge Mihalchick can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone (612) 349-2544, and FAX (612) 349-2665.

**Hearing Procedure.** If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. Following the comment period, there is a five-working-day response period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

<p><b>KEY: PROPOSED RULES SECTION</b> — <u>Underlining</u> indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — <u>Underlining</u> indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment or response period also submit a copy of the written views or data to the agency contact person at the address stated above.

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from either the agency or the Office of Administrative Hearings.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 296-5148 or 1-800-657-3889.

**Adoption Procedure if No Hearing.** If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

**Adoption Procedure After a Hearing.** If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rules and files them with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

**Order.** I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: 19 October 1998

Burl Haar,  
Executive Secretary

### **7819.0050 APPLICABILITY.**

With the exception of part 7819.1100, subparts 1 and 2 and the associated plates at parts 7819.9900 to 7819.9950, part 7819.1200, and part 7819.5000, this chapter applies to all local government units that have elected, pursuant to *Minnesota Statutes*, section 237.163, subdivision 2, to exercise the authority to manage their public rights-of-way under *Minnesota Statutes*, sections 237.162 and 237.163. Part 7819.1100, subparts 1 and 2 and the associated plates at parts 7819.9900 to 7819.9950, part 7819.1200, and part 7819.5000 apply whether or not the local government unit has elected to manage its public right-of-way under *Minnesota Statutes*, sections 237.162 and 237.163.

For right-of-way users subject to the franchising authority of a local government unit, to the extent that rights, duties, and obligations regarding the use of the public right-of-way are addressed in the terms of any applicable franchise agreement, the terms of the franchise prevail over any conflicting provisions in this chapter.

### **7819.0100 DEFINITIONS.**

Subpart 1. **Scope.** The terms used in this chapter have the meanings given in this part.

Subp. 2. **Abandoned facility.** "Abandoned facility" means (1) a facility no longer in service and physically disconnected from a portion of the operating facility, or from any other facility, that is in use or still carries service, or (2) a facility that is deemed abandoned by the right-of-way user.

Subp. 3. **City.** "City" means a statutory or home rule charter city.

Subp. 4. **Commission.** "Commission" means the state Public Utilities Commission.

Subp. 5. **Congested right-of-way.** "Congested right-of-way" means a crowded condition in the subsurface of the public right-of-way that occurs when the maximum lateral spacing between existing underground facilities does not allow for construction of new underground facilities without using hand digging to expose the existing lateral facilities in conformance with *Minnesota Statutes*, section 216D.04, subdivision 3, over a continuous length in excess of 500 feet.

Subp. 6. **Construction performance bond.** "Construction performance bond," as referenced in *Minnesota Statutes*, section 237.162, subdivision 8, clause (2), means any of the following forms of security provided at the permittee's option:

- A. individual project bond;
- B. cash deposit;

C. security of a form listed or approved under *Minnesota Statutes*, section 15.73, subdivision 3;

D. letter of credit, in a form acceptable to the local government unit;

E. self-insurance, in a form acceptable to the local government unit; and

F. a blanket bond for projects within the local government unit, or other form of construction bond, for a time specified and in a form acceptable to the local government unit.

Subp. 7. **Degradation cost.** “Degradation cost” means the cost to achieve a level of restoration as determined by the local government unit at the time the permit is issued, not to exceed the maximum restoration shown in plates 1 to 13, which are set forth in parts 7819.9900 to 7819.9950.

Subp. 8. **Degradation fee.** “Degradation fee” means the estimated fee established at the time of permitting by the local government unit to recover costs associated with the decrease in the useful life of the right-of-way caused by the excavation, and which equals the degradation cost.

Subp. 9. **Facility.** “Facility” means any tangible asset in the public right-of-way required to provide utility service.

Subp. 10. **Five-year project plan.** “Five-year project plan” shows projects adopted by the local government unit for construction within the next five years.

Subp. 11. **High-density corridor.** “High-density corridor” means a designated portion of the public right-of-way within which telecommunications right-of-way users having multiple and competing facilities may be required to build and install facilities in a common conduit system or other common structure.

Subp. 12. **Hole.** “Hole” means an excavation in the pavement, with the excavation having a length less than the width of the pavement.

Subp. 13. **Local government unit.** “Local government unit” has the meaning given it in *Minnesota Statutes*, section 237.162.

Subp. 14. **Patch.** “Patch” means a method of pavement replacement that is temporary in nature. A patch consists of: (1) the compaction of the subbase and aggregate base, and (2) the replacement, in kind, of the existing pavement for a minimum of two feet beyond the edges of the excavation in all directions. A patch is considered full restoration only when the pavement is included in the local government unit’s five-year project plan.

Subp. 15. **Pavement.** “Pavement” means any type of improved surface that is within the public right-of-way and that is paved or otherwise constructed with bituminous, concrete, aggregate, or gravel.

Subp. 16. **Permit.** “Permit” has the meaning given “right-of-way permit” in *Minnesota Statutes*, section 237.162.

Subp. 17. **Permittee.** “Permittee” means a person to whom a permit to excavate or obstruct a right-of-way has been granted by a local government unit under this chapter.

Subp. 18. **Person.** “Person” means an individual or entity subject to the laws and rules of this state, however organized, whether public or private, whether domestic or foreign, whether for profit or nonprofit, and whether natural, corporate, or political. Examples include:

A. a business or commercial enterprise organized as any type or combination of corporation, limited liability company, partnership, limited liability partnership, proprietorship, association, cooperative, joint venture, carrier or utility, and any successor or assignee of any of them;

B. a social or charitable organization; and

C. any type or combination of political subdivision, which includes the executive, judicial, or legislative branch of the state, a local government unit, or a combination of any of them.

Subp. 19. **Public right-of-way.** “Public right-of-way” has the meaning given it in *Minnesota Statutes*, section 237.162.

Subp. 20. **Restoration.** “Restoration” means the process by which an excavated public right-of-way and surrounding area, including pavement and foundation, is returned to the same condition that existed before excavation.

Subp. 21. **Right-of-way user.** “Right-of-way user” means: (1) a telecommunications right-of-way user as defined by *Minnesota Statutes*, section 237.162, subdivision 4; or (2) a person owning or controlling a facility in the public right-of-way that is used or is intended to be used for providing utility service, and who has a right under law, franchise, or ordinance to use the public right-of-way.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

---

**Subp. 22. Temporary surface.** “Temporary surface” means the compaction of subbase and aggregate base and replacement, in kind, of the existing pavement only to the edges of the excavation. It is temporary in nature except when the replacement is of pavement included in the local government unit’s two-year project plan, in which case it is considered full restoration.

**Subp. 23. Trench.** “Trench” means an excavation in the pavement, with the excavation having a length equal to or greater than the width of the pavement.

**Subp. 24. Two-year project plan.** “Two-year project plan” shows projects adopted by the local government unit for construction within the next two years.

**Subp. 25. Utility service.** “Utility service” includes: (1) services provided by a public utility as defined in *Minnesota Statutes*, section 216B.02, subdivisions 4 and 6; (2) services of a telecommunications right-of-way user, including the transporting of voice or data information; (3) services provided by a cable communications system as defined in *Minnesota Statutes*, chapter 238; (4) natural gas or electric energy or telecommunications services provided by a local government unit; (5) services provided by a cooperative electric association organized under *Minnesota Statutes*, chapter 308A; and (6) services provided by a water, sewer, or district cooling or heating system.

### **7819.0200 HIGH-DENSITY CORRIDOR.**

An ordinance establishing the procedure for installing a high-density corridor must conform to the following standards:

**A.** The ordinance must provide for competitive neutrality among telecommunications right-of-way users.

**B.** The local government unit’s procedure to establish the high-density corridor must include the following elements:

(1) a need and opportunity analysis by the local government unit;

(2) a finding by the local government unit that the designated portion of the public right-of-way is, or will imminently be, congested right-of-way;

(3) a determination by the local government unit governing council that a high-density corridor should be established;

(4) notice and opportunity for interested parties to be heard on the proposed high-density corridor;

(5) the development by the local government unit of a cost study that includes the allocation of the cost of building and maintaining the high-density corridor, principles of cost recovery, and the allocation of capacity within it, which must be submitted to public hearing and review by the governing body of the local government unit; and

(6) the opportunity for any party providing utility service in the applicable right-of-way to appeal the governing body’s adoption of the cost study to the commission.

**C.** In order to require the relocation of existing telecommunications facilities into the high-density corridor, the local government unit must make a written finding of compelling need.

### **7819.1000 FEES AND PENALTIES.**

**Subpart 1. Permit fee.** A local government unit that requires a permit for excavation in or obstruction of the public right-of-way shall make its permit fee schedule available to the public. The permit fee schedule must be established in advance and designed to recover the local government unit’s actual costs incurred in managing the public right-of-way.

**Subp. 2. Allocation of permit fees.** Permit fees must be based on an allocation among all users of the public right-of-way, which shall include the local government unit itself, so as to reflect the proportionate costs imposed on the local government unit by each of the various types of users of the public rights-of-way. Although the local government unit must be allocated its proportionate share of permit fees, the local government unit need not transfer funds to pay permit fees.

Permit fees must be allocated in a competitively neutral manner and must be imposed in a manner so that aboveground uses of public rights-of-way do not bear costs incurred by the local government unit to regulate underground uses of public rights-of-way.

**Subp. 3. Delay penalty.** A local government unit may establish and impose a reasonable penalty for unreasonable delays in right-of-way excavation, obstruction, patching, or restoration. The delay penalty must be established from time to time by resolution of the local government unit governing body. A delay penalty must not be imposed if the delay in project completion is due to circumstances beyond the control of the applicant, including without limitation inclement weather, acts of God, or civil strife.

### **7819.1100 RESTORATION OF RIGHT-OF-WAY.**

**Subpart 1. Restoration standards.** Restoration must return the right-of-way to the same condition that existed before excavation. Subject to this standard, plates 1 to 13, shown in parts 7819.9900 to 7819.9950, indicate maximum limits of restoration methods and area requirements the local government unit can impose when a right-of-way user excavates in the public right-of-way. The local government unit and right-of-way user may agree to a lesser requirement.

The right-of-way user is responsible for all of its work done in the public right-of-way, whether by employees, agents, or independent contractors.

**Subp. 2. Levels of restoration.** All levels of restoration include compaction of the materials placed in the excavation of the subgrade and aggregate base, plus pavement replacement, in kind. If required by the local government unit, all work must be performed according to the local government unit's specifications and drawings.

**Subp. 3. Degradation cost.** A right-of-way user may elect to pay a degradation fee in lieu of restoration. However, the right-of-way user shall remain responsible for replacing and compacting the subgrade and aggregate base material in the excavation and the degradation fee must not include the cost to accomplish these responsibilities.

#### **7819.1200 NOTICE.**

**Subpart 1. Requirement.** Except in the case of an emergency, before initiating excavation in or obstruction of a public right-of-way, the right-of-way user shall notify the local government unit in writing or, if required, obtain a permit. The information in the notice must include the name, address, and telephone number of the right-of-way user and any contractors involved in the excavation; the anticipated start and completion dates; the typical depth of the lines; and the general location of the work.

**Subp. 2. Waiver.** The local government unit may waive all or any portion of the requirements of subpart 1. A waiver of the notice requirement must be renewed on an annual basis, subject to negotiation between the right-of-way user and the local government unit.

#### **7819.1250 INDEMNIFICATION.**

**Subpart 1. Authority, generally.** As a condition for issuing a permit for work on a public right-of-way, a local government unit may require the permittee to indemnify the local government unit against liability claims. The local government unit may require indemnification when a permit authorizes a permittee to obstruct or excavate on or within a public right-of-way to install, maintain, or repair the permittee's facilities.

**Subp. 2. Claims indemnified.** The local government unit may require the permittee to defend, indemnify, and hold harmless the local government unit from all liability or claims of liability for bodily injury or death to persons, or for property damage, in which the claim:

A. alleges a negligent or otherwise wrongful act or omission of the permittee or its employee, agent, or independent contractor in installing, maintaining, or repairing the permittee's facilities; and alleges that the local government unit is liable, without alleging any independent negligent, or otherwise wrongful, act or omission on the part of the local government unit; or

B. is based on the local government unit's negligence or otherwise wrongful act or omission in issuing the permit or in failing to properly or adequately inspect or enforce compliance with a term, condition, or purpose of the permit granted to the permittee.

**Subp. 3. Claims not indemnified.** A permittee is not required to indemnify a local government unit for losses or claims occasioned by the negligent or otherwise wrongful act or omission of the local government unit, except:

A. to the extent authorized in subpart 2 regarding the issuance of a permit or the inspection or enforcement of compliance with the permit; or

B. when otherwise provided in an applicable franchise agreement.

**Subp. 4. Remedy is additional; subrogation.** A defense or indemnification of a local government unit by a permittee is deemed not to be a waiver of any defense or immunity otherwise available to the local government unit.

A permittee, in defending any action on behalf of the local government unit, is entitled to assert every defense or immunity that the local government unit could assert in its own behalf.

**Subp. 5. Construction authorization.** A construction authorization issued by a local government unit pursuant to notice under part 7819.1200 is deemed a permit for the purpose of this part.

#### **7819.1300 COMPLETION CERTIFICATE.**

**Subpart 1. Requirement.** If required by the local government unit as part of its permit process, a person designated by the right-of-way user as a responsible employee shall sign a completion certificate showing the completion date for the work performed, identifying the installer and designer of record, and certifying that work was completed according to the requirements of the local government unit.

<p><b>KEY: PROPOSED RULES SECTION</b> — Underlining indicates additions to existing rule language. <del>Strike outs</del> indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." <b>ADOPTED RULES SECTION</b> — Underlining indicates additions to proposed rule language. <del>Strike outs</del> indicate deletions from proposed rule language.</p>
--

## Proposed Rules

---

Subp. 2. “As built” drawings. If required by the local government unit as part of its permit process and if necessary due to changes from the work as projected when the permit was applied for, the permittee shall submit “as built” drawings or maps within six months of completing the work, showing any deviations from the plan that are greater than plus or minus two feet.

Subp. 3. Response. The local government unit shall respond within 30 days of receipt of the completion certificate. Failure to approve or disapprove the permittee’s performance within 30 days is deemed to be approval by the local government unit.

Subp. 4. Obligation. Construction triggers an obligation of the right-of-way user that the right-of-way restoration be completed according to the conditions in part 7819.1100. The right-of-way user also assumes responsibility for “as built” drawings and for repairing facilities or structures, including right-of-way that was damaged during facility installation. The obligation is limited to one year for plantings and turf establishment.

### **7819.3000 CONSTRUCTION PERFORMANCE BOND.**

Subpart 1. Authority to require performance bond. At the time of application for an excavation permit, the local government unit may require a right-of-way user who elects to restore the right-of-way to post a construction performance bond, as defined in part 7819.0100, subpart 3.

A local government unit does not need to provide a construction performance bond to ensure the restoration of streets following its own excavation.

Subp. 2. Amount. The security provided by a construction performance bond must cover an amount reasonably estimated to restore the right-of-way to the condition that existed before the excavation, and may also include reasonable, directly related costs that the local government unit estimates will be incurred if the right-of-way user fails to perform under the bond. Litigation costs and attorney fees are not direct costs to be included in calculating the amount of the bond.

Subp. 3. Term. If, 24 months after completion of the restoration of the right-of-way, the representative of the local government unit determines that the right-of-way has been properly restored, the surety on the construction performance bond must be released.

### **7819.3100 RELOCATION OF EXISTING FACILITIES.**

Subpart 1. Requirement. A right-of-way user shall promptly and at its own expense, with due regard for seasonal working conditions, permanently remove and relocate its facilities in the right-of-way when it is necessary to prevent interference, and not merely for convenience of the local government unit, in connection with: (1) a present or future local government use of the right-of-way for a public project; (2) the public health or safety; or (3) the safety and convenience of travel over the right-of-way.

Subp. 2. Exception. Notwithstanding subpart 1, a right-of-way user is not required to remove or relocate its facilities from a right-of-way that has been vacated in favor of a nongovernmental entity unless and until the reasonable costs to do so are first paid to the right-of-way user.

### **7819.3200 RIGHT-OF-WAY VACATION.**

Subpart 1. Reservation of right. If the local government unit vacates a right-of-way that contains the facilities of a right-of-way user and the right-of-way vacation does not require the relocation of the right-of-way user’s facilities, the local government unit shall, except when it would not be in the public interest, reserve to and for itself and all right-of-way users having facilities in the vacated right-of-way, the right to install, maintain, and operate facilities in the vacated right-of-way and to enter upon the right-of-way at any time to reconstruct, inspect, maintain, or repair the facilities.

Subp. 2. Relocation of facilities. If the local government unit vacates a right-of-way that contains the facilities of a right-of-way user and the right-of-way vacation requires the relocation of the right-of-way user’s facilities, payment of the relocation costs must be determined as follows: (1) if the vacation proceedings are initiated by the right-of-way user, the right-of-way user must pay the relocation costs; (2) if the vacation proceedings are initiated by the local government unit for a public project, the right-of-way user must pay the relocation costs unless otherwise agreed to by the local government unit and the right-of-way user; or (3) if the vacation proceedings are initiated for the purpose of benefiting a person other than the right-of-way user, the benefited person must pay the relocation costs.

### **7819.3300 ABANDONED FACILITIES.**

A right-of-way user shall notify the local government unit when facilities are to be abandoned. A right-of-way user that has abandoned facilities in a right-of-way shall remove them from that right-of-way during the next scheduled local government unit excavation if required in conjunction with other right-of-way repair, excavation, or construction, unless this requirement is waived by the local government unit.

MAPPING SYSTEMS

**7819.4000 AUTHORITY; PURPOSE.**

In managing the use of its public rights-of-way, a local government unit may establish, develop, and implement a right-of-way mapping system according to this part and part 7819.4100. The purpose of a mapping system is to:

- A. allow flexibility in its use by the local government unit as an effective management tool;
- B. enhance public safety and user facility safety;
- C. provide for long-term cost savings;
- D. improve public right-of-way design quality; and

E. allow for better information collection and cooperative usage among local government units, telecommunications companies, and other users of the public right-of-way.

**7819.4100 REQUIRED MAPPING INFORMATION.**

Subpart 1. **Application required.** When a local government unit requires a permit for excavation in or obstruction of its public right-of-way, a person wishing to undertake a project within the public right-of-way shall submit a right-of-way permit application, which may require the filing of mapping information pursuant to subpart 2.

Subp. 2. **Information.** The local government unit may require as part of its permit application the filing of all the following information:

A. location and approximate depth of applicant's mains, cables, conduits, switches, and related equipment and facilities, with the location based on:

(1) offsets from property lines, distances from the centerline of the public right-of-way, and curb lines as determined by the local government unit;

(2) coordinates derived from the coordinate system being used by the local government unit; or

(3) any other system agreed upon by the right-of-way user and local government unit;

B. the type and size of the utility facility;

C. a description showing aboveground appurtenances;

D. a legend explaining symbols, characters, abbreviations, scale, and other data shown on the map; and

E. any facilities to be abandoned, if applicable, in conformance with *Minnesota Statutes*, section 216D.04, subdivision 3.

Subp. 3. **Changes and corrections.** The application must provide that the applicant agrees to submit "as built" drawings, reflecting any changes and variations from the information provided under subpart 2, items A to E.

Subp. 4. **Additional construction information.** In addition, the right-of-way user shall submit to the local government unit at the time the project is completed a completion certificate according to part 7819.1300.

Subp. 5. **Manner of conveying permit data.** A right-of-way user is not required to provide or convey mapping information or data in a format or manner that is different from what is currently utilized and maintained by that user. A permit application fee may include the cost to convert the data furnished by the right-of-way user to a format currently in use by the local unit of government.

Subp. 6. **Data on existing facilities.** At the request of a local government unit, a right-of-way user shall provide existing data on its existing facilities within the public right-of-way in the form maintained by the user at the time the request was made, if available.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

### FACILITY INSTALLATION, CONSTRUCTION, LOCATION

#### **7819.5000** INSTALLATION OF TELECOMMUNICATIONS FACILITY.

Subpart 1. **Requirements.** The following requirements pertain to telecommunications facility installation in a public right-of-way.

A. During plowing or trenching of a facility, a warning tape must be placed at a depth of 12 to 18 inches above copper cables with over 200 pairs and above each fiber facility.

B. A directional bore facility within the limits of a city must be placed in conduit below a concrete- or bituminous-paved road surface or in conduit or armored cable in other locations. The conduit or armored cable must be of a type determined by the telecommunications right-of-way user. The city may waive this provision if the right-of-way user agrees to additional marking of the facility. This provision does not apply to residential connections.

C. A buried telecommunications facility must have a locating wire or conductive shield, except for dielectric cables.

D. Unless the local government unit directs that no location markers be placed, a location marker must be placed at least every 1,300 feet, as well as at road crossings and at culverts. For areas outside of cities, unless the local government unit directs that no location markers be placed, the markers must be placed at least every 1,300 feet or within line of sight whichever is less, as well as at road crossings and at culverts.

E. A buried fiber facility installed within the limits of a city must be placed in conduit of a type determined by the telecommunications right-of-way user, unless this requirement is specifically waived by the city. A buried fiber facility beyond city limits must be placed by the telecommunications right-of-way user, in its discretion, using industry-acceptable standards.

F. A buried fiber facility must be placed at a minimum depth of 36 inches below the surface, unless this requirement is waived by the local government unit.

G. In a city, urban town, urban county, or urban service area, conditions permitting, a copper facility buried below a concrete- or bituminous-paved road surface must be placed at a minimum depth of 36 inches below the road surface and a maximum of 48 inches, unless otherwise altered by the local government unit on a case-by-case basis. Any other copper facility in a city, urban town, urban county, or urban service area must be placed at a minimum depth of 30 inches below the surface and at a maximum depth of 48 inches, unless otherwise altered by the local government unit on a case-by-case basis.

H. A copper facility in a public right-of-way not covered in item G, conditions permitting, must be placed at a minimum depth of 30 inches below the surface and at a maximum depth of 48 inches, unless otherwise altered by the local government unit on a case-by-case basis.

I. The placing of any telecommunications facility must comply with the National Electric Safety Code, as incorporated by reference in *Minnesota Statutes*, section 326.243.

J. For purposes of this part:

(1) an "urban town" is a town described in *Minnesota Statutes*, section 368.01, subdivision 1 or 1a;

(2) an "urban county" is Anoka, Carver, Dakota, Hennepin, Ramsey, St. Louis, Scott, or Washington county; and

(3) an "urban service area" is an unincorporated area within two miles of the corporate limits of a city, over which a joint planning board is authorized to exercise planning and land use control under *Minnesota Statutes*, section 462.3585.

Subp. 2. **Locating, marking, or exposing facility.** If a telecommunications facility owner is unable to locate its underground facility as required under *Minnesota Statutes*, section 216D.04, it must expose the facility so that it can be located.

#### **7819.5100** CONSTRUCTION AND LOCATION REQUIREMENTS.

Subpart 1. **Installation requirements for telecommunications facility.** The installation of a telecommunications facility in the right-of-way must be done in conformance with part 7819.5000.

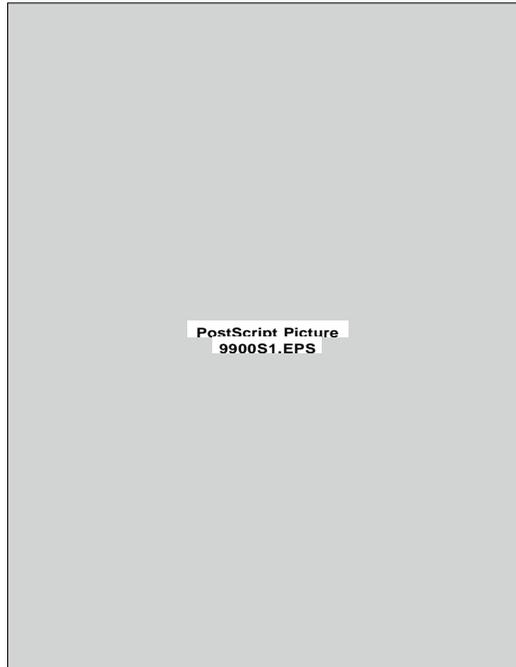
Subp. 2. **Installation requirements for gas or electric facility.** The installation requirements for an electric facility must comply with the construction standards established by the National Electrical Safety Code as directed by the Minnesota Electrical Act, *Minnesota Statutes*, sections 326.241 to 326.448, or any superseding authority. The installation requirements for a gas facility must comply with the construction standards established by *Code of Federal Regulations*, title 47, parts 191, 192, 193, and 199, as directed by *Minnesota Statutes*, section 299F.57, or any superseding legal authority.

Subp. 3. **Location of facility.** Placement of a facility in a particular location within the right-of-way must take into account the current and anticipated uses of the right-of-way and the distinct engineering, construction, operation, and maintenance characteristics of each type of use.

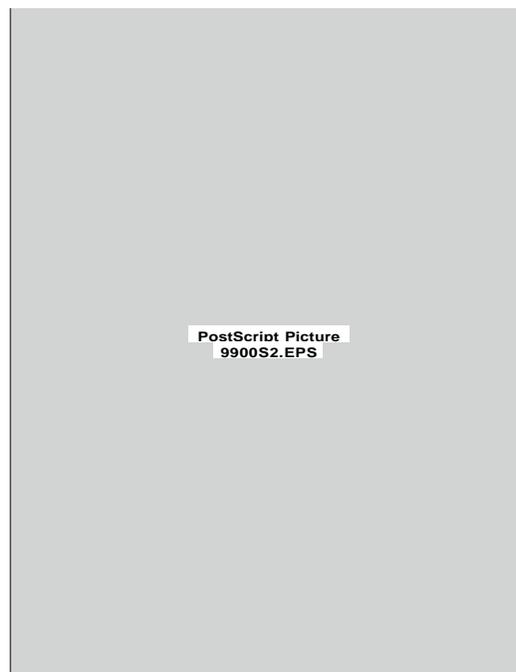
Subp. 4. **Access to nontraveled portion of right-of-way.** A local government unit shall not unreasonably prohibit the placement of a facility in the nontraveled portion of the right-of-way. The traveled portion of the right-of-way includes the shoulder of the road or highway.

**7819.9900 UTILITY TRENCH RESTORATION; PLATES 1 AND 2.**

Subpart 1. **Plate 1.**



Subp. 2. **Plate 2.**



**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

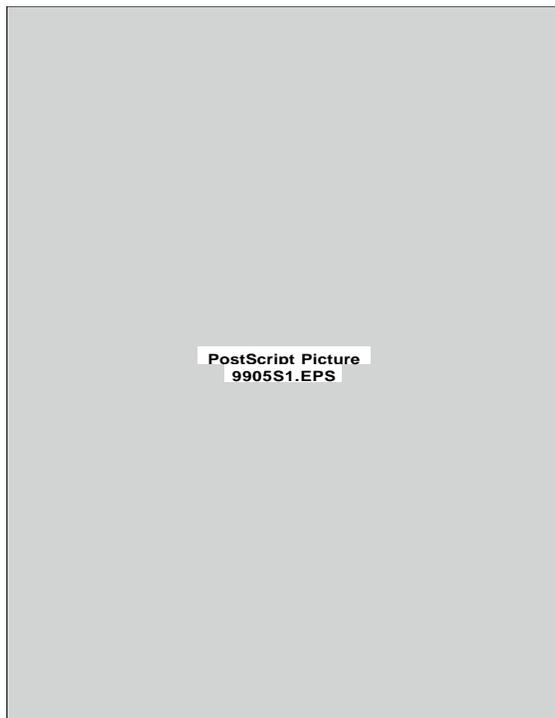
# Proposed Rules

---

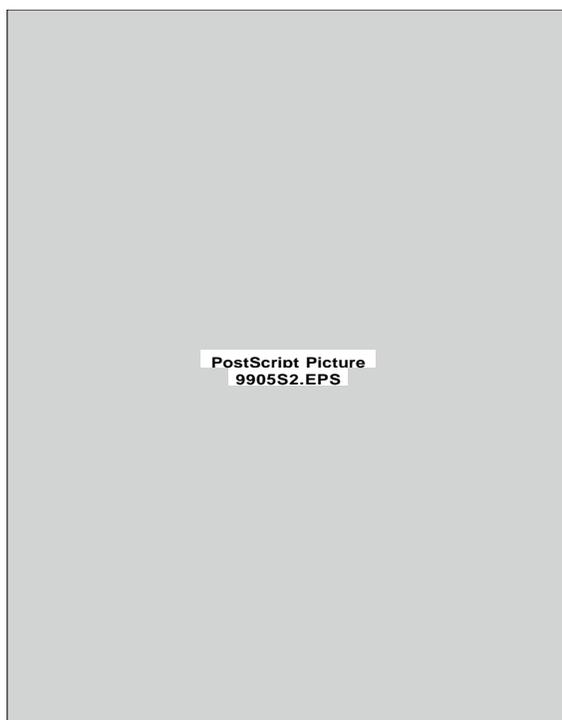
---

## **7819.9905 UTILITY TRENCH RESTORATION; PLATES 3 AND 4.**

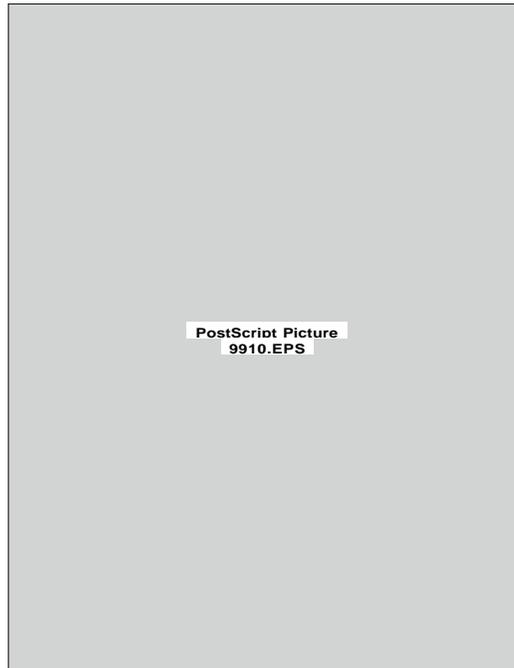
### Subpart 1. **Plate 3.**



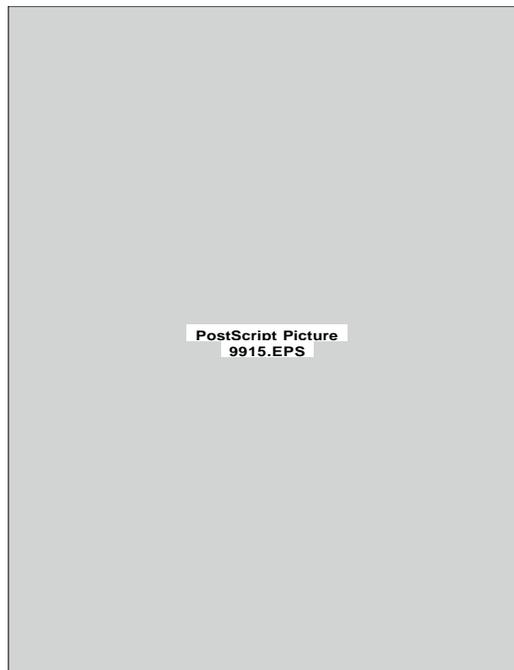
### Subp. 2. **Plate 4.**



**7819.9910 UTILITY TRENCH RESTORATION; PLATE 5.**



**7819.9915 UTILITY TRENCH RESTORATION; PLATE 6.**



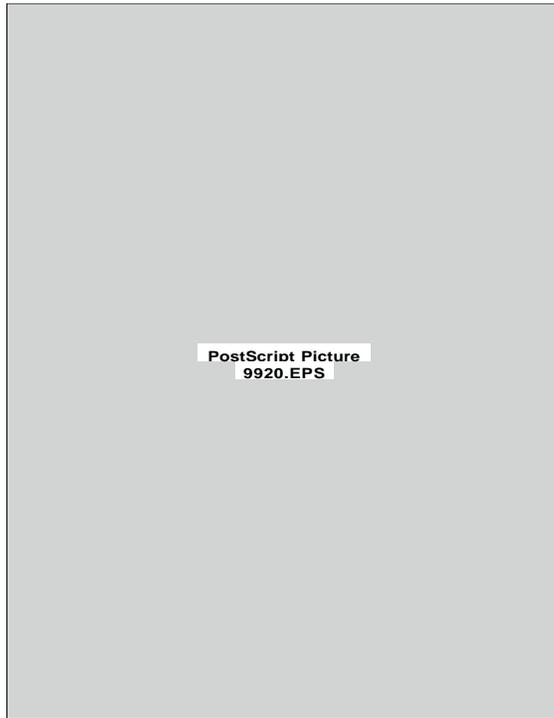
**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

**Proposed Rules**

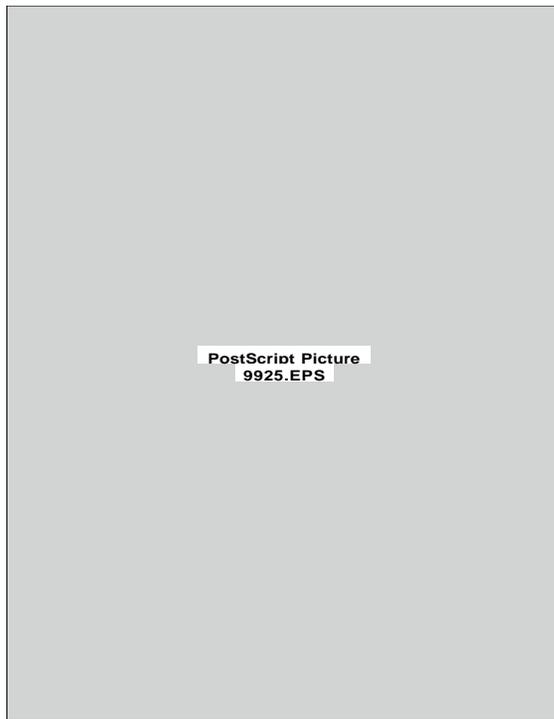
---

---

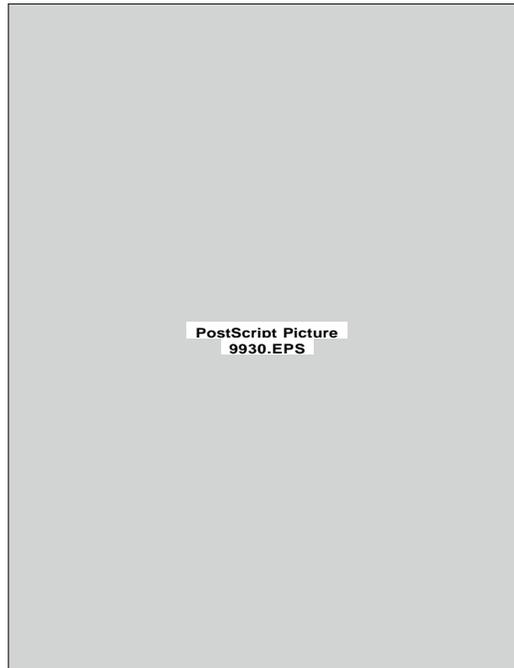
**7819.9920 UTILITY HOLE RESTORATION; PLATE 7.**



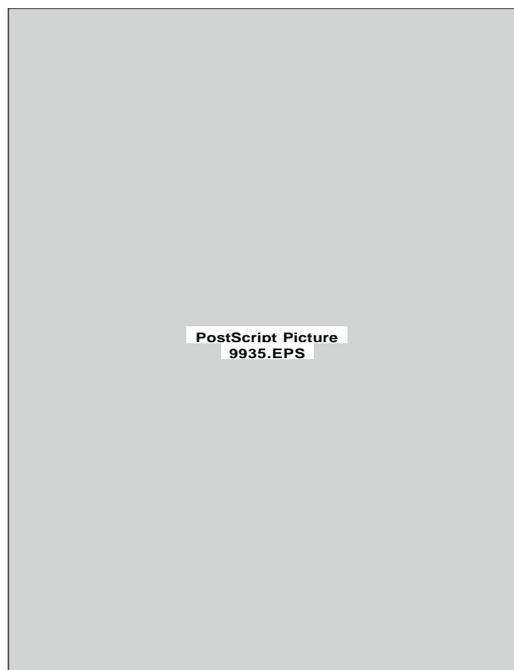
**7819.9925 UTILITY HOLE RESTORATION; PLATE 8.**



**7819.9930 UTILITY HOLE RESTORATION; PLATE 9.**



**7819.9935 UTILITY HOLE RESTORATION; PLATE 10**



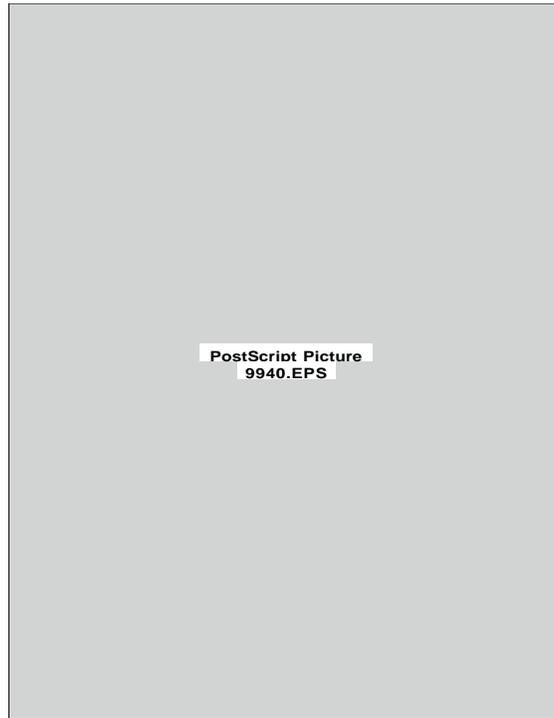
**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

**Proposed Rules**

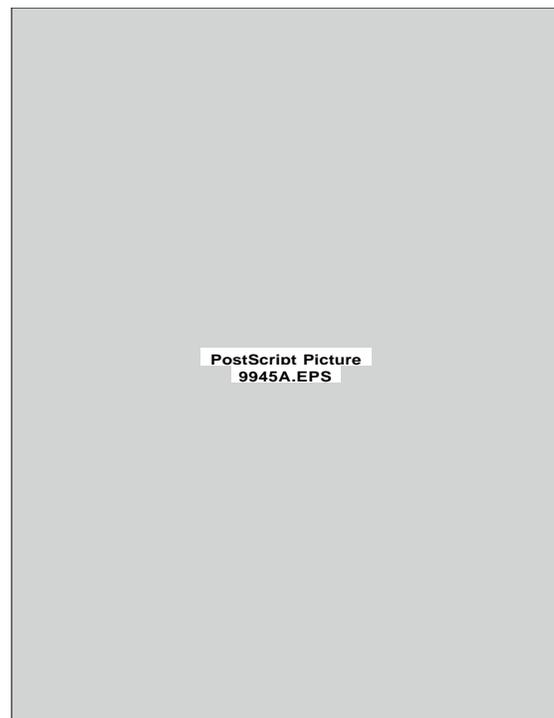
---

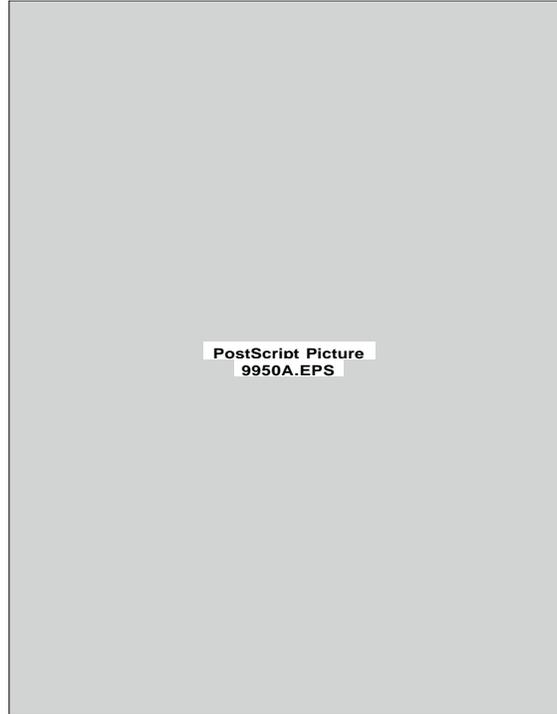
---

**7819.9940 TYPICAL ROAD PLAN; PLATE 11.**



**7819.9945 TYPICAL ROAD RESTORATION; PLATE 12.**



**7819.9950 TYPICAL ROAD SHOULDER RESTORATION; PLATE 13.**

## Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

### Exempt Rules

An exempt rule adopted under *Minnesota Statutes* §§ 14.386 or 14.388 is effective upon its publication in the *State Register*.

### Emergency Expedited Rules

Provisions for the Commissioner of Natural Resources to adopt emergency expedited Game and Fish Rules are specified in *Minnesota Statutes* §§ 84.027. The commissioner may adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months.

## Board of Dietetics and Nutrition Practice

### Adopted Permanent Rules Relating to License Renewal Fees

The rules proposed and published at *State Register*, Volume 22, Number 48, pages 2112-2113, June 1, 1998 (22 SR 2112), are adopted as proposed.

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

# Executive Orders

---

---

## Office of the Governor

### Executive Order #98-14: Providing that the Minnesota Year 2000 Project Be the First Technology Project Priority

I, ARNE H. CARLSON, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

**WHEREAS**, the State of Minnesota has a multi-billion-dollar investment in numerous information technology systems and equipment responsible for providing services and improving public safety for all Minnesotans; and

**WHEREAS**, most computers and automated systems worldwide are threatened by the Year 2000 problem which, because previous date standards represented a year with only two digits instead of four, fails to recognize dates beyond 1999; and

**WHEREAS**, the effectiveness of Minnesota's automated systems is at risk from the Year 2000 problem and a great many automated systems with mission-critical applications will be negatively impacted; and

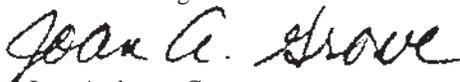
**WHEREAS**, the complex nature of the problems and the time necessary for Minnesota entities to detect Year 2000 problems, devise solutions and adequately test information systems, make time of the essence;

**NOW, THEREFORE**, I hereby order that:

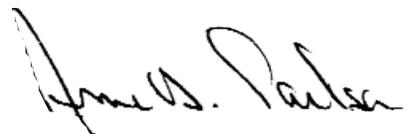
1. The Minnesota Year 2000 Project is the first technology project priority.
  - a) With due consideration to mandated initiatives, each agency shall defer commencing new computer projects until essential systems are Year 2000 compliant.
  - b) Agencies shall secure and allocate the appropriate human and monetary resources.
2. Each agency in the executive branch of the State shall be responsible to find and fix Year 2000 problems, or develop solutions that assure continued function of essential systems and services. Each agency shall also protect its essential systems from corruption by other systems that are not Year 2000 compliant.
3. State agencies shall not purchase new systems, hardware, software or equipment that is not Year 2000 compliant or fails to contain Year 2000 contract language.
4. State agencies that employ internal auditors shall conduct internal audits of Year 2000 progress.
5. All State departments and agencies are directed to communicate with their constituencies to ensure that any Year 2000 issues and incompatibilities are fully addressed.
6. Each agency shall provide status reports to the Minnesota Year 2000 Project Office, as the Office requires.
7. Local governments shall endeavor to review their systems and allocate adequate resources to alleviate any impact from the Year 2000 problem.
8. Emergency Management shall consult with local government to adequately plan for potential civic failures that may occur.
9. State agencies, as appropriate, shall assist communities, schools and neighborhoods in their endeavors to organize their efforts to ensure that services are not impacted by technology errors as the Year 2000 approaches.
10. State agencies, as appropriate, shall assist Minnesota businesses in their endeavors to ensure that all commercial and industrial applications are not adversely affected by the Year 2000 transition.
11. All departments, agencies and commissions are directed to work in cooperation with the Office of Technology and the Department of Administration to ensure that there is an ongoing public awareness effort so that adequate information resources are available to all sectors of the Minnesota economy and its citizens.

**IN TESTIMONY WHEREOF**, I have set my hand this twenty-second day of October 1998.

Filed According to Law:



Joan Anderson Grove  
Secretary of State



Arne H. Carlson  
Governor

The Department of Revenue began issuing revenue notices in July of 1991. Revenue notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue revenue notices is found in *Minnesota Statutes* §270.0604.

## Department of Revenue

### Revenue Notice # 98-20: MinnesotaCare Tax - Receipts from the Sale of Chiropractic Medical Supplies, Appliances and Equipment

This revenue notice explains the application of the MinnesotaCare tax to the gross receipts received by a chiropractor from the sale of medical supplies, appliances and equipment.

In 1997, the Minnesota Legislature changed the definition of a “health care provider” by amending *Minnesota Statutes*, § 295.50, subdivision 4. Effective January 1, 1998, the sale of “medical supplies” or “medical appliances” does not necessarily make the seller a “health care provider.” Under *Minnesota Statutes*, § 295.50, subdivision 9b, however, patient services still include providing “supplies, appliances and equipment.” If the sale of these items is considered part of providing patient services, the receipts from these sales remain subject to MinnesotaCare tax.

**Issue:** When are the gross receipts received by a chiropractor for medical supplies, appliances and equipment considered part of providing patient services subject to MinnesotaCare tax and when are they considered a retail sale not subject to MinnesotaCare tax?

**Department position:** If medical supplies, appliances or equipment are furnished or sold to a person who has received other patient services from the chiropractor, the gross receipts from the sale of these items are subject to MinnesotaCare tax.

Dated: 2 November 1998

Terese Koenig, Director  
Appeals, Legal Services and  
Criminal Investigation Division

---

---

## Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and mat-

## Department of Children, Families and Learning

### Office of Teaching and Learning

#### Notice of Phase II of the Minnesota Technology Learning Academy

The Department of Children, Families and Learning announces Phase II of the Minnesota Technology Learning Academy. The purpose of Phase II of the Learning Academy is to provide professional development to teachers in the application of technology for the achievement of the Minnesota Graduations Standards. Potential providers for the Minnesota Technology Learning Academy are educational agencies, public and private higher education institutions, technology corporations and other organizations. Providers should be prepared to offer technology training for teachers and other school district staff beginning January 1, 1999 through June, 1999. All courses must be aligned with the criteria identified by the Department of Children, Families and Learning. The guidelines and criteria for participation in Phase II of the Minnesota Technology Learning Academy will be disseminated on request after November 2, 1998.

To request the guidelines and criteria for participation in the Minnesota Technology Learning Academy, potential providers should contact Teri Kostelecky, Department of Children, Families and Learning, 550 Cedar Street, St. Paul, MN 55101, (651) 296-2752, [teri.kostelecky@state.mn.us](mailto:teri.kostelecky@state.mn.us). Contact Mary Dalbotten, Department of Children, Families and Learning, 550 Cedar Street, St. Paul, MN 55101, (651) 296-2207, [mary.dalbotten@state.mn.us](mailto:mary.dalbotten@state.mn.us) for any other questions on this program.

## Health Technology Advisory Committee

### Notice of: 1) Availability of Preliminary "New Technologies for Cervical Cancer Screening" Evaluation Report; and 2) Solicitation of Written Comments

The Health Technology Advisory Committee (HTAC) is charged under *Minnesota Statutes* 62J.152 with conducting evaluations of specific technologies and their specific use and application. For the purposes of evaluation, the definition of technologies in statute includes "... drugs, devices, procedures, or processes applied to human health care ... ." As part of the evaluation process, HTAC is required to submit a report to the Legislative Oversight Commission on Health Care Access and to solicit written comments on the report. Before completing its final comments and recommendations on the HTAC technology evaluation report, HTAC solicits public comment on the report.

The Health Technology Advisory Committee (HTAC) has recently completed the preliminary evaluation report, "New Technologies for Cervical Cancer Screening".

**Brief Summary:** This report examines computer-assisted screening and new slide preparation methods for cervical cancer screening and summarizes findings in the medical literature regarding their potential to affect net health outcome and the cost of Pap testing.

Each of the new technologies marginally improves the accuracy of Pap test screening at a higher cost than manual Pap screening. However, fewer women may then receive periodic Pap tests as costs of screening rise. This will, in turn, predictably increase cervical cancer rates.

**Recommendation:** The added value of the new technologies, PapNet, AutoPap and ThinPrep, in improving the net health outcome of women and preventing cervical cancer has not been determined.

Individuals or organizations requesting information or a copy of the report should contact HTAC. Written comments regarding the report are due within 30 days from the publication of this notice. Any written material received by HTAC shall be subject to the requirements of the Minnesota Data Practices Act (*Minnesota Statutes*, Section 13) and should be forwarded to:

Nancy Cusick  
Health Technology Advisory Committee  
121 East 7th Place, Suite 450  
P.O. Box 64975  
St. Paul, MN 55164-0975  
Phone: (651) 282-6374  
Fax: (651) 282-5628  
<http://www.health.state.mn.us/htac/index.htm>

## Higher Education Facilities Authority

### Notice of Public Hearing on Revenue Obligations on Behalf of Northwestern College of Chiropractic

**NOTICE IS HEREBY GIVEN** that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds or other obligations on behalf of Northwestern College of Chiropractic, a Minnesota nonprofit corporation (the "College"), as owner and operator of Northwestern College of Chiropractic, an institution of higher education, at the main campus of the College, 2501 West Eighty-Fourth Street, Bloomington, Minnesota in the Steven L. Fetzer Board Room on November 18, 1998 at 2:00 p.m. Under the proposal, the Authority would issue its revenue bonds or other obligations in an original aggregate principal amount of up to approximately \$7,500,000 to finance (a) improvement, furnishing and equipping of the main educational building, including finishing the 10,000 square foot lower level for student health services and remodeling of two floors for classroom, laboratory, office and other purposes, (b) the construction of a central maintenance and storage area, (c) improvement of lighting, fire protection and central air handling systems and (d) the refunding of the Authority's outstanding Mortgage Revenue Bonds, Series Two-X (Northwestern College of Chiropractic), dated September 1, 1990, originally issued to finance (i) the purchase of land and building at the main campus, (ii) the construction of the 25,000 square foot Center for Clinical Studies, (iii) refurbishing of the auditorium, and (iv) acquisition, improvement, furnishing and equipping of a 3,500 square foot outpatient clinic building and site at 12445 River Ridge Boulevard, in Burnsville, Minnesota (collectively, the "Project"), owned or to be owned and operated by the College and, unless otherwise noted, located at 2501 West Eighty-Fourth Street, Bloomington, Minnesota, 55431-1599.

At said time and place the Authority shall give all parties who appear or have submitted written comments an opportunity to express their views with respect to the proposal to undertake and finance the Project.

Dated: 2 November 1998

By Order Of The Minnesota Higher Education Facilities Authority  
J. Luther Anderson, Executive Director

## Department of Human Services

### Chemical Dependency Program Division

#### Notice of Public Comment on the Federal Alcohol and Drug Abuse Block Grant and the Availability of a Statement Describing the Intended Use of Funds for Federal Fiscal Year 1999

**NOTICE IS HEREBY GIVEN** that the Department of Human Services, Chemical Dependency Program Division, is seeking public comment on the use of the Federal Alcohol and Drug Abuse Block Grant. Notice is also given that the Department of Human Services has available a draft Description of Intended Use for funds available to the State of Minnesota from the Federal Fiscal Year 1999 Alcohol and Drug Abuse Block Grant. This description is being made available to the public for comment in accord with Title XIX, Part B of the Public Health Services Act, Public Law 102-321.

Information and copies of the Alcohol and Drug Abuse Plan are available from: Wayne Raske, Chemical Dependency Division, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3823, phone (612) 296-2174. All interested or affected persons and organizations are invited to submit comments. Comments on the proposed plan may be directed to the contact person listed above. Also available for review and comment is Minnesota's plan for compliance with the Synar Amendment (section 1926 of the Public Health Service Act) restricting the sale and distribution of tobacco products to minors.

## Metropolitan Council

### Notice of Public Forums on ADA Paratransit Needs Assessment and Metro Mobility

The Metropolitan Council will hold two forums to gather public input on its current ADA Needs Assessment, which will look at how the metropolitan area's growing need for public transportation will be met under the federal Americans with Disabilities Act (ADA). The Council also will welcome any comments or concerns related to the Metro Mobility program.

Public forums are scheduled as follows:

**Monday, November 23, 1998**  
**5 p.m. - 7 p.m.**  
Metropolitan Council Chambers  
Mears Park Centre Bldg.  
230 East Fifth St.  
St. Paul, MN

**Tuesday, December 1, 1998**  
**11 a.m. - 1 p.m.**  
Minneapolis Convention Center  
1301 Second Av. South  
Room 103 DEF  
Minneapolis, MN

All interested persons are encouraged to attend the forums and offer comments. People may register in advance to speak by calling Dawn Hoffner at the Metropolitan Council, (651) 602-1447 or (651) 221-9886 TTY. People may also sign up to speak at the forums. Sign language interpreter services will be provided at the forums. Upon request, reasonable accommodations to persons with disabilities will be provided if requested by November 16, 1998.

Comments may also be submitted as follows:

- Send written comments to: Dave Jacobson, Metro Mobility Service Center, Metropolitan Council, 230 East Fifth Street, St. Paul, MN 55101.
- Fax comments to Mr. Jacobson at (651) 602-1660.
- Record comments on the Council's Public Comment Line at 602-1500.
- TTY comments to Mr. Jacobson's attention at (651) 221-9886.
- E-mail address: [data.center@metc.state.mn.us](mailto:data.center@metc.state.mn.us).

**Comments will be accepted until January 1, 1999.**

## Teachers Retirement Association

### Notice of Meeting of the Board of Trustees

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Thursday, November 19, 1998 at 1:00 p.m. in Suite 500, Gallery Building, 17 W. Exchange Street, St. Paul, MN to consider matters which may properly come before the Board.

## Department of Trade and Economic Development

### Minnesota Agricultural and Economic Development Board

#### Notice of Public Hearing on Proposed Project and The Issuance of Bonds Under *Minnesota Statutes* 1986, Chapter 116M and *Minnesota Statutes*, Chapter 41A on Behalf of Benedictine Care Centers

**NOTICE IS HEREBY GIVEN** that the Minnesota Agricultural and Economic Development Board (the "Board") or its designated representative, shall meet on November 4, 1998, at 9:00 a.m. o'clock, at 500 Metro Square, 121 7th Place East, Saint Paul, Minnesota, for the purpose of conducting a public hearing on a proposed issue of one or more series of bonds (the "Bonds") and the provision of other financial assistance under *Minnesota Statutes* 1986, Chapter 116M, and *Minnesota Statutes*, Chapter 41A, as amended (the "Act"), to undertake and finance a project on behalf of Benedictine Care Centers, a Minnesota nonprofit corporation (the "Applicant"). Such persons as desire to be heard with reference to said issue of Bonds will be heard at this public hearing.

The project to be financed consists of the acquisition, renovation and equipping of the following facilities located at: (i) Hillcrest Community Care Center, 800 Second Avenue NW, Plainview Minnesota, a 71 bed nursing home; \$1,600,000, (ii) Innsbruck Care Center, 2800 Highway 694, New Brighton, Minnesota, a 108 bed nursing home; \$2,800,000, (iii) St. Mary's Care Center, 551 Fourth Street North, Winsted, Minnesota, a 90 bed nursing home; \$4,400,000, (iv) Villa at Hi Park, 135 Pioneer Road, Red Wing, Minnesota, a 44 unit assisted living facility; \$2,800,000, (v) Hi Park Care Center, 213 Pioneer Road, Red Wing, Minnesota, a 85 bed nursing home; \$3,400,000, (vi) Lake Haven Manor, 7700 Grand Avenue, Duluth, Minnesota, a 132 bed nursing home; \$4,500,000, (vii) Green Prairie Place, 810 Second Avenue NW, Plainview, Minnesota, a 36 unit assisted living facility; \$1,900,000 and (viii) Daytons Bluff Community Care Center, 324 Johnson Parkway, St. Paul, Minnesota, a 184 bed skilled facility; \$8,600,000 (collectively, the "Project").

The owner of the Project will be the Applicant or an affiliated entity, and the Project is expected to be operated and managed by the Applicant or an affiliated entity. It is contemplated that the facilities financed or refinanced by the Bonds will be used primarily for nursing home or facility, assisted living or related facilities. The estimated amount of the Board's proposed bond issues is an amount not to exceed \$30,000,000. The Bonds shall be limited obligations of the Board, the Bonds and the interest thereon shall be payable solely from the revenue pledged to the payment thereof, and a mortgage or security interest or other security arrangements to be established by or on behalf of the Applicant or an affiliated entity. Notwithstanding the foregoing, no holders of any such Bonds shall ever have the right to compel any exercise of the taxing powers of the State of Minnesota or any political subdivision thereof to pay the Bonds or the interest thereon nor to enforce payment against any property of said State or said political subdivision.

This Notice of Public Hearing is being given pursuant to Section 147(f) of the *Internal Revenue Code* of 1986, as amended.

A copy of the Application to the Board for approval of the Project, together with all attachments and exhibits thereto and a copy of the Board's resolution accepting the Application and accepting the Project is available for public inspection at the offices of the Board at 500 Metro Square, 121 7th Place East, Saint Paul, Minnesota from the date of this notice to the date of the public hearing hereinabove identified, during normal business hours.

Dated: 12 October 1998

BY ORDER OF THE MEMBERS OF  
THE MINNESOTA AGRICULTURAL  
AND ECONOMIC DEVELOPMENT BOARD  
Paul Moe  
Executive Director  
Minnesota Agricultural and Economic  
Development Board

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself.

Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

---

### Department of Children, Families and Learning

#### Notice of Grant Availability for Technology Literacy Challenge Fund

The Department of Children, Families and Learning announces the availability of Technology Literacy Challenge Fund Grants. Eligible applicants are Minnesota school districts or groups of Minnesota school districts that have high percentages of children in poverty, demonstrate great technological need, and have technology plans that are in alignment with state and federal goals.

At least sixteen grants of up to \$250,000 each will be awarded.

The Request for Proposals and application materials will be available on November 2, 1998. It can be downloaded from the Department web site at <http://cfl.state.mn.us> or requested from Teri Kostelecky at (651) 296-2752 or via e-mail at [teri.kostelecky@state.mn.us](mailto:teri.kostelecky@state.mn.us). Questions regarding this program should be directed to Tammy Haag at (651) 282-5890 or Theresa Mish at (651) 296-6312. Applications are due on December 18, 1998, by 4:00 p.m.

### Minnesota Center for Crime Victim Services

#### Notice of Availability of Funds for General Crime Victim Research Projects

The Minnesota Center for Crime Victim Services, General Crime Victims Program, announces the availability of grant funds for special time-limited projects. The grants are for the five-month period from February 1, 1999, through June 30, 1999.

Two grants of \$15,000 each are available for implementing research projects to determine the current levels of need and availability of services in two areas: one project for deaf/hard of hearing general crime victims, and the other for hate crime victims. Public and private non-profit organizations, Indian tribal governments and local units of government are eligible to apply. Organizations that do not have a major program focus of serving general crime victims will be required to work in close collaboration with general crime victim service providers.

**Applications are due Monday, December 21, 1998.** To receive a request for proposals that provides complete information and describes how to apply, contact:

Minnesota Center for Crime Victim Services  
245 East Sixth Street, Suite 705  
St. Paul, Minnesota 55101  
(651) 282-6256 or 1-888-622-8799 outside the Twin Cities metropolitan area  
TTY (hearing impaired): (651) 205-4827

### Department of Economic Security

#### Rehabilitation Services Branch

#### Notice of Availability of Funds for Coordinated Outreach and Community Supports for Persons with Brain Injuries

The Minnesota Department of Economic Security-Rehabilitation Services Branch (DES-RS) is requesting proposals for the development or enhancement of coordinated outreach and community support services to promote employment and the ability of people with brain injuries to live in their community.

Grant funds must be used in a manner which is consistent with the DES-RS's federal appropriations under the Rehabilitation Act (P.L. 93-112 as amended by P.L. 102-569). Granting of these DES-RS funds is authorized under *Minnesota Statutes* Section 268A.01. DES-RS funds under the Vocational Rehabilitation State Plan are to be used to develop new and innovative services for people with severe disabilities.

## State Grants & Loans

---

The target population for services provided with grant funds is persons who have sustained traumatic brain injury. Traumatic Brain Injury means a sudden insult or damage to the brain or it's covering, not of a degenerative or congenital nature. The insult or damage may produce an altered state of consciousness and may result in a decrease in cognitive, behavioral, emotional, or physical functioning resulting in partial or total disability (*Minnesota Statutes* 256B.093). Although the primary target population for grant funds is persons with traumatic brain injuries, the following acquired brain injuries may cause persons to experience similar functional limitations to employment. Persons with these types of acquired injuries would also be eligible to participate in the project receiving grant funds: anoxic brain injuries (i.e. near drowning), brain infections (i.e. encephalitis, meningitis), tumors of the brain; toxic, chemical or drug reactions which cause brain injury and cerebral vascular accidents (CVA).

The primary focus of the project funded by this grant must be to provide outreach and community supports to individuals who meet the eligibility characteristics for the RS-Vocational Rehabilitation Program, and be persons with a Severe Disability as defined in the Federal Rehabilitation Act (P.L. 102-569). A severe disability is defined as 1) a disability which results in serious functional limitations in at least one of the following areas: mobility, self direction, self-care, interpersonal skills, communication, work tolerance and work skills, and 2) the individual is expected to require multiple VR services over an extended period of time in order to achieve an appropriate employment outcome.

Eligible applicants must be organized as a non-profit organization or government entity and have the capacity to provide services statewide.

It is anticipated that one grant will be awarded not to exceed \$200,000. A 21.3% cash match from the applicant is required. Federal funds may not be used for match. The project will be funded initially for nine months.

Continuation funding for a second year will be considered based on the availability of funds, and performance of the grantee in meeting grant objectives. Vocational Rehabilitation grants are time limited; the maximum length of grant continuation funding is four years. Applicants must document plans for long term funding and continuation of the project once grant funds end.

Applications in the form of a request for proposals are available from: Allan Lunz, M.S.,CRC, Rehabilitation Program Specialist, Department of Economic Security, Rehabilitation Services Branch, 390 North Robert Street, First Floor, St. Paul, Minnesota 55101. Phone (651) 297-1596 (voice), (651) 296-3900 (TTY) or FAX (651) 297-5159. Completed applications are due no later than 12:00 p.m. on Friday, December 4, 1998.

## Department of Human Services

### Mental Health Division

#### Notice of Availability of Funds to Develop and Support Regional Parent Liaisons Activities

The Children's Mental Health Division of the Minnesota Department of Human Services (DHS) announces the availability of up to \$258,000 in State grant funds to qualified agencies to develop and support regional parent liaisons activities in several locations of the state. The funds include up to \$200,000 for start up related activities and \$58,000 operating costs. This funding is for the period from January 1, 1999 through December 31, 1999. The \$58,000 operating cost will be made available in the subsequent years for program implementation.

This request for proposal (RFP) seeks to fund a minimum of 2 agencies with expertise in children's mental health and parent involvement to create liaison positions that can provide the necessary training and support to individual parents in their community. It is anticipated that up to 6 parent liaison positions will be created and each of them will be offered an intensive training program focusing on leadership, advocacy, collaboration, legal and policy issues. The parent liaisons will be expected to be involved in local collaborative efforts in their areas, provide support to a small number of families, and build communication between and among families in their communities.

Applications are due by 4:00 p.m. on Friday, December 4 30, 1998. Notification of approved proposals is anticipated to be completed by December 21. Only nonprofit agencies, county and collaboratives are eligible to apply. Interested parties should contact Sunday Olayinka (651) 296-7905 at DHS for application instructions.

## Department of Human Services

### Chemical Dependency Program Division

#### Notice of Request for Proposals to Colleges and/or Training Programs to Host the 18th Annual Minnesota Indian Institute on Alcohol and Other Drug Studies

The Chemical Dependency Program Division (CDPD) of the Minnesota Department of Human Services is soliciting proposals from American Indian human services providers, non-profit organizations, private organizations, and units of government to provide chemical dependency training to American Indian citizens of Minnesota. Proposals must address professional training services. Proposals are due January 29, 1999.

The funded programs should begin on or about May 1, 1999. Approximately \$80,000 is available to fund a grantee for a two year project. The goal of this RFP is to provide a 35 hour education and training program consistent with the requirements for chemical dependency counselor certification in the state of Minnesota. Grant funds under this RFP cannot be used to pay for chemical dependency treatment services.

This request for proposals is contingent on the availability of funds. This request for proposal does not obligate the state to complete the proposed project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest. The state will not reimburse for the cost of proposal preparation. Eight copies of the proposal must be received by the CD division no later than 4:30 p.m. on Friday January 29, 1999, or have a legible postmark date no later than Wednesday, January 27, 1999. Proposals must follow the CDPD grant application proposal format.

Programmatic information concerning this RFP should be directed to Donna Isham, Special Assistant Director, (651) 296-4043. After November 20, 1998, please call (651) 582-1842.

Budget/fund use questions should be directed to Jeffrey Hunsberger, Grants Manager, CDPD, Minnesota Department of Human Services at (651) 297-1863. After November 20, 1998, please call (651) 582-1841.

Proposals should be sent to:

Donna Isham, Special Assistant Director, American Indian Programs  
Chemical Dependency Program Division  
Department of Human Services  
444 Lafayette Road  
St. Paul, Minnesota 55155-3823

## Department of Human Services

### Chemical Dependency Program Division

#### Notice of Request for Proposals to Provide Chemical Dependency Services to American Indian Citizens of Minnesota

The Chemical Dependency Program Division (CDPD) of the Minnesota Department of Human Services is soliciting proposals from American Indian human services providers, non-profit organizations, private organizations, and units of government to provide chemical dependency services to American Indian citizens of Minnesota. Proposals must address at least one of the following services: chemical dependency prevention/education; information and referral, short term counseling and professional training. Proposals are due January 29, 1999.

The funded programs should begin on or about July 1, 1999. Approximately \$2 million is available to fund grantees for a two year project. The goal of this RFP is to reduce the effects of alcohol/drug abuse among American Indians in Minnesota. Grant funds under this RFP cannot be used to pay for chemical dependency treatment services.

This request for proposals is contingent on the availability of funds. This request for proposal does not obligate the state to complete the proposed project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest. The state will not reimburse for the cost of proposal preparation. Eight copies of the proposal must be received by the CD division no later than 4:30 p.m. on Friday January 29, 1999, or have a legible postmark date no later than Wednesday, January 27, 1999. Proposals must follow the CDPD grant application proposal format.

## Professional, Technical & Consulting Contracts

---

---

Programmatic information concerning this RFP should be directed to Donna Isham, Special Assistant Director, (651) 296-4043. After November 20, 1998, please call (651) 582-1842.

Budget/fund use questions should be directed to Jeffrey Hunsberger, Grants Manager, CDPD, Minnesota Department of Human Services at (651) 297-1863. After November 20, 1998, please call (651) 582-1841.

Proposals should be sent to:

Donna Isham, Special Assistant Director, American Indian Programs  
Chemical Dependency Program Division  
Department of Human Services  
444 Lafayette Road  
St. Paul, Minnesota 55155-3823

## Professional, Technical & Consulting Contracts

---

---

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, and final submission date of completed contract proposal.

In accordance with *Minnesota Rules* Part 1230.1910, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of up to 6% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Helpline (612) 296-2600 or [TTY (612) 297-5353 and ask for 296-2600].

---

## Department of Children, Families and Learning

### Office of Community Services

### Notice of Request for Proposal to Provide an Evaluation of the Federal Child Care and Development Fund Cultural Competence Grantees

The Department of Children, Families & Learning is soliciting proposals from qualified parties to provide a third party evaluation of grantees who have received federal child care and development cultural competence funds through the State of Minnesota.

Funding has been awarded to programs and projects to support existing work and to implement new strategies designed to increase the capacity of the child care system to provide culturally-competent services. These existing and new strategies include, but are not limited to, translation of licensing and program materials, outreach to specific cultural communities, multicultural curriculum development, purchase of multicultural materials, staff training, resource and referral services, parent education, training of trainers, and mentoring programs.

The goal of this project is to carry out an evaluation of the methods used, lessons learned, and outcomes achieved by the Child Care and Development Fund cultural competence grantees. The results of this evaluation will be used to: inform the planning process for future funding of cultural competence efforts; communicate lessons learned; determine the effectiveness of targeted funding as a strategy to move toward a more culturally competent child care system; and provide individual grant programs with information with which to pursue funding and program quality improvement.

The Department has estimated that the cost of this project should not exceed \$50,000. The project period will be January 1, 1999 through December 31, 1999.

For a complete copy of the Request for Proposal, please contact Michelle Weber, Department of Children, Families & Learning, 1500 Highway 36, Roseville, Minnesota 55113-4266, telephone (651) 297-5979 or (651) 582-8470, FAX (651) 582-8496.

**Completed proposals are due by 4:00 p.m. on December 1, 1998.**

In compliance with *Minnesota Statutes* 16C.07, the availability of this contracting opportunity is being offered to state employees. We will evaluate the responses of any state employee along with other responses to this Request for Proposal.

## **Minnesota State Colleges and Universities (MnSCU)**

### **Normandale Community College**

#### **Request for Proposal for Inventory Management - POS (Point-of-Sale) System**

##### **Background Information:**

Normandale Community College intends to purchase an integrated inventory management system for the College Bookstore which will be used as a management tool to provide critical information for decision making in procurement and management of the Bookstore.

This request for proposal does not obligate Normandale Community College to complete the proposed project, and Normandale Community College reserves the right to cancel the solicitation if it is considered to be in its best interest.

This RFP is seeking proposals for a comprehensive, specialized, college bookstore automation system. The following is a brief description of the general software, hardware and customer support features that must be addressed by each vendor.

##### **General Requirements**

This RFP is seeking proposals for a comprehensive, specialized, college bookstore automation system. The following is a brief description of the general software, hardware and customer support features that must be addressed by each vendor.

It must have a point-of-sale system that will support the current levels of interaction with various credit card companies, and should also support direct debiting to customers' accounts.

- Must have a fully integrated accounting system.
- Must provide automatic price look-up and track inventory at point of sale.
- Must communicate with typical debit card system.
- Must communicate with MnSCU Administrative Systems.
- Must be able to handle automated textbook buyback.
- Must support selling at multiple sites such as special events, temporary locations, or other campus events. It should also have the ability to support multiple stores.
- Should support bad check inquiry at a central point.
- Should support remote receiving of inventory at off-site location.
- The system should support fixed and hand-held bar code scanners.
- The POS software must be capable of handling transactions with no dependence on the inventory management computers.
- The Inventory Control and Point-of-Sale software must reside on different servers to minimize downtime.
- The system must provide for a mirrored image set of PLU servers.
- Inventory item records must be updated in real-time from receiving and from the sales floor.
- All application software must have been designed and developed and is currently being enhanced and supported by the vendor.
- Software Applications that must be addressed:
  - Inventory Management for: Textbooks, trade books, general merchandise, computer department, stock ledger, accounting: General Ledger (GL), Accounts Payable (AP), Accounts Receivable (AR), Financial Aid Purchases, Financial reports, budgets and income statements
  - Point-of Sale: Operating and applications control reports, sales and efficiency reports, Bar code reading, hardware and software, credit card authorization, bankcard capture and bank transmittal, debit card interface capability, charge ability to admin system.
  - System should provide external access to: PubNet and EASYLINK, bibliographic data bases (Bowker Books In Print CDRom, used book companies), ability to import from or export to Delimited text/ASCII files consisting of user defined information.
- Must interface with the following campus systems: Normandale's existing network (Novell Netware), existing 10BaseT Ethernet campus backbone for Internet connectivity.

## Professional, Technical & Consulting Contracts

---

The system should be an on-line, real-time transaction-oriented system providing immediate updating of most files. An intuitive hierarchical menu along with interactive, on-line prompts and help menus should permit "non-computer" personnel friendly access to the system with minimum training. Computer literate personnel should be able to navigate most essential functions without training. The entire system should be user-oriented to facilitate prompt accomplishment of all major textbook operations.

The system should take advantage of the latest technologies available especially concerning electronic ordering and connectivity to other college functions. Connecting the accounting functions of the NCC Bookstore to the College's accounting department is essential. Connecting the NCC Bookstore to the College's students' records for financial aid book authorization data is essential. Connecting the textbook system to the College's network should result in easier communications with faculty concerning problems with book orders.

### **Inventory Management: Textbooks**

The immediate goal of the Normandale Community College (NCC) Bookstore is to serve the academic needs of the college community by supplying necessary course materials in a timely and cost effective manner in accordance with this goal. Management of the textbook inventory is a critical function of the NCC Bookstore and needs to be supported by a computerized inventory management system that will insure superior service now and in the future.

The textbook system we are seeking must be a Point of Sale System capable of maintaining true perpetual inventories. The system must manage the entire cycle from receiving requisitions from faculty and academic departments, through automatic ordering, receiving, physical and fiscal inventories, sales, student buybacks, returns, and to maintaining historical data for use in future ordering decisions.

Complete information on selected texts for specified courses including current requests and historical use data must be easily accessible on-line. The system should provide a "release" system so that the textbook buyer may compare requests against historical sales and enrollment data to set inventory and buyback levels before shopping wholesale want lists or producing publishers' orders. The system should automatically maintain provide or open-to-buy levels based on the buyer's decision for inclusion in want-lists or publishers' orders. The system should automatically update inventory as books are received and produce shelf tags and/or price tags as offspring of receiving. The system should be flexible, allowing defined options in the design of shelf cards, price stickers, receiving and pricing and other operations as appropriate. The systems functions should be fully integrated where appropriate to eliminate duplicated effort. Searches should reveal inventory in any of the inventory modules, textbook, general book, general merchandise or computers. The receiving function should be integrated with the chargeback function, the accounting function and ultimately the POS system.

### **Inventory Management: General Books Databases**

The goal of the General (Trade) Book Department at the NCC Bookstore is to provide the campus community with a desirable selection of books that will appeal to all ages and interests and to supply a strong line of study aids, reference materials, and other reading material that will augment the academic and intellectual pursuits of the academic community.

To these ends, we require a flexible and accessible system that will enable us to provide a diverse selection of materials from a wide range of possible providers with a minimum of time and effort while still providing a high level of customer service and satisfaction.

### **Inventory Control: General Merchandise**

The objective of the general merchandise module is to track merchandise at both the SKU and serial number level, where applicable. The objective is to balance the customer needs and the inventory requirement to satisfy those needs in an economical and efficient way. This application must provide inventory management, open-to-buy, purchasing, receiving, ticket printing, price change management, transfer routines, sales analysis and flexible user defined reporting.

### **Inventory Control: Receiving**

The objective of the receiving processes will be to accurately move incoming merchandise through the receiving operation and onto the selling floor with minimum delay. The receiving process includes checking the quantity and condition of goods received, noting damage and discrepancies, verifying and recording freight charges, pricing, and moving goods to storage or the sales floor.

The receiving system should be highly integrated with the other POS Modules in order to reduce the need to enter duplicate data and speed up the availability of information. It should be flexible enough to allow us to tailor where and how each phase of the receiving process is conducted without affecting the efficiency or performance of the system. Finally, receiving should be simple to do and have a consistent interface and method of operation across merchandise types.

### **Accounts Payable**

The purpose for the Accounts Payable Module is to account for the stores purchases, track liabilities, and to pay vendors what is owed. The AP Module should be completely integrated with the receiving, stock ledger, and general ledger. This information must also report to the inventory management modules to facilitate returns and inventory valuation.

---

---

## Professional, Technical & Consulting Contracts

The AP module should work closely with the other parts of the system to quickly update inventory files, eliminate entry of duplicate data, and speed up the invoice processing and payment. This module must be flexible enough to handle a variety of transactions, discounts, terms, payments and be able to prepare reports and information that will result in the best management of the stores resources. The system must also have search and inquiry abilities so that problems can be resolved in a timely and efficient manner.

### Accounts Receivable: Financial Aid

The objective of the Accounts Receivable Module (AR) is to maintain charge accounts for selected customers and to perform related functions. The AR module should have a seamless integration with the POS for ease of operator use and improved customer service.

This system must have the flexibility to handle a number of varying credit requirements for a large variety of customers and their unique needs. It should have features that allow the operator to easily determine who and what is authorized to be charged and should have fields for customer supplied data such as expense categories, funding source etc. The AR module should have reporting and analysis capabilities to help the Bookstore better to manage its AR investments. It should prepare statements and provide other tools to help in the collections process. It should provide a vehicle for the bookstore that would simplify the process of accounting back to departments.

### General Ledger

The objective of the General Ledger (GL) will be to condense monthly the bookstore's accounting information in order to produce financial and other reports for management review and planning. Planning, budgeting and reporting features on the GL module will be used to accomplish many of the objectives of the POS system.

The GL will be maintained at the departmental level on a monthly cycle with the ability of combined multiple departments into divisions for analysis and reporting purposes. A general journal utility is required to allow for adjustments to accounts. Close integration with the various accounting and merchandise modules will be an essential ingredient in meeting the efficiency requirements of the system. Proper documentation, security and control features, a complete audit trail are necessary to detail for class and lower levels will be maintained in the stock reports are a requirement.

### Stock Ledger

The objective of the stock ledger is to financially account for all the goods or inventory in the bookstore. The Stock Ledger should be able to easily produce flexible reports about inventory, sales and cost of sales at any level sub class or higher over different time frames and organized in a variety of manners. The reports and analysis will be used to maximize the benefit from the stores investment in inventory.

The Stock Ledger must be highly integrated with other parts of the POS system. The stock ledger will record and track inventory acquired by the different merchandise modules and then received into the store, record sales and cost of sale transacted by the POS module and transfer the cost of sales and inventory levels to the General Ledger Module.

### Point-Of-Sale

The Point-of-Sale Module, because of its interaction with the *customer*, represents a most critical aspect of our requirements. The POS system *must* not degrade noticeably with heavy transaction volume. There *must* be multiple layers of redundancy built-in, to prevent the system going down even if key components should fail. This is a mission critical function that cannot fail. The POS module is the critical interaction where merchandise is sold. Purchases will be scanned into the cash register from coded tags or other media and the POS will perform a price look up (PLU) to the appropriate merchandise data base and return the proper price and description of the product. As a consequence of the sale appropriate deductions are made to inventories and sales are logged and posted.

Flexibility is important to the system; it should easily accept multiple tender types, allow a full range of charges at all cash registers. The system should be designed to handle advances made within the banking industry to facilitate the electronic capture of data. The POS must provide for the daily balancing of cash and the reporting of sales to the appropriate journals. The system should have a method to directly communicate with the campus information management system.

### Hardware and Software

The hardware and software are the components that build the inventory management systems with the POS and all the other functions that must be performed in concert for the store. This would include the necessary cabling and communications between all the components, it would have built in redundancy and be the point of interchange between the University's system and the store.

This hardware and software combination and POS system is expected to replace most of the systems and procedures currently used by the Bookstore to buy and sell products. The POS system must be extremely reliable if we are to fulfill our mission. The POS system must also be straightforward enough to operate with a minimum of technical expertise, yet be flexible enough to accommodate diverse and new expectations. It should also have the ability to be upgraded to handle future growth and technologies.

## Professional, Technical & Consulting Contracts

---

Maintenance and support for these systems are critical and must be readily available with very short down time. Maintenance should be available locally and there must be expandability and interconnectivity built into the system.

- Minimum Hardware Requirements For System: As specified *or comparable equipment to be listed in proposal.*
- Network Environment: Windows 95 or MSDOS
- Main Server: RISC System 6000 43P with: 200 Mhz power, Pc 604e Processor, Integrated SCSI-2 f/w Controller, MB L2 Cache, Intergrated Ethernet Adapter, 64 MB EDO/ECC Base Memory (Expandable), 8x CD-ROM, 5 Bus slots (3 ISA, 2 ISA/PCI), 2.1 GB Ultra SCSI-2 disk Drive (Expandable), Language Group, Linecord US, 8 Port Asynchronous 232 Adapter with Cable, Info Window II Ascii Console display screen.
- Tape Drive: 1-2.0 GB 4MM DAT Tape Drive with: 1Tape Drive Cable Back-up power supply
- 2-Modems - US Robotics external 56k Modem (order/support) with: 6MM, 25-pin Serial Modern Cable
- 1-Barcode Printer Monarch 9403 with: Intermec Collection Device with Wand, Intermec Data Cable, Intermec Power Supply and Charger
- 1-Laser Printer - HP 6L laser Printer (6ppm) with 6" Parallel Cable
- Manager Workstation: IBM 300GL PC-CD ROM (existing equipment) Okidata 321 Turbo Dot Matrix printer with: Serial Printer Adapter Kit, Printer Cable
- 2-Primary POS stations - IBM PC-CD ROM with: Monitor, Keyboard, Keyboard Cable, Cash drawer, Cash Drawer Cable, POS Printer, POS Printer Cable
- 2-Clerical Workstations - IBM PC-CD ROM with: (will convert to secondary POS stations) Monitor, Keyboard, Keyboard Cable, Cash drawer, Cash Drawer Cable, POS Printer, POS Printer Cable, \*
- 1-Backroom Receiving - IBM PC-CD ROM with: Monitor, Keyboard, Keyboard Cable
- 4-POS Scanner Symbol Laser Scanner Assembly
- Credit Card Authorization Modem and Serial Modern Cable
- POS Backup Server: IBM Pentium PC-CD ROM with: Monitor, Ethernet Adapters
- Cabling - Miscellaneous Cabling required: Specify
- System Installation: Complete Installation of Hardware and Software packages Proposed Schedule System Installation and Training

### System Installation Schedule:

- December 14, 1998 - Vendor Selection  
Training: System Administration, File Maintenance
- March 8, 1999 - Back Office Installation:  
Training: Inventory Management, Accounts Payable
- March 29, 1999 - POS Installation:  
Training: Cash Register Operations, Accounts Receivable

Minimum Software Requirements: As specific *or comparable software to be listed in proposal.*

- Software Package: College Bookstore: Textbook Inventory Management, General Merchandise Management, POS System, Accounts Payable, Accounts Receivable, General Ledger, Stock Ledger
- System Licenses  
User License, College Bookstore Software License, Credit Card Authorization software, miscellaneous required License: Specify
- Training: All cost of training to be included.  
On-Site training POS General System  
Additional Training: Bookstore Manager/Textbook, Assistant Manager/General Merchandise, Receiving Clerk, Accounts Payable, Accounts Receivable, miscellaneous training: Specify
- System Support - System Technical Support - Software: Specify  
Hardware: Specify
- Warranties  
Specify software warranty, hardware warranty and annual maintenance.
- Additional expense  
Miscellaneous: Specify

---

---

## Professional, Technical & Consulting Contracts

Prospective responders who have any questions regarding this request for proposal may call or write:

Elise Davis  
Bookstore Manager  
Normandale Community College  
9700 France Avenue South  
Bloomington, MN 55441  
Phone: (612) 832-6324

Sealed proposals must be sent to and received by:

Elise Davis  
Bookstore Manager  
Normandale Community College  
9700 France Avenue South  
Bloomington, MN 55441  
Phone: (612) 832-6324

Not later than 2 p.m., November 20, 1998, as indicated by the date and time indicated on each response package by our Mail Room at Normandale Community College.

Submit three copies of proposal. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. Each copy of the proposal must be signed, in ink, by an authorized member of the firm. Prices and terms of the proposal as stated must be valid for the length of any resulting contract.

Normandale Community College has estimated that the cost of this project should not exceed eighty five thousand dollars (\$85,000.00).

The project will be completed by June 1, 1999 or within six months from the date the contract officially begins.

The following is considered minimum contents of the proposal:

- A. A restatement of the objectives, goals, and tasks to show or demonstrate the responder's view of the nature of the project.
- B. Identification and description of the deliverables to be provided by the responder.
- C. An outline of the responder's background and experience with particular emphasis on local, state, and federal government work. Identification of personnel to conduct the project, with details on training and work experience. No change in personnel assigned to the project will be permitted without the approval of the institutional project director/manager.
- D. A detailed cost and work plan that will identify the major tasks to be accomplished and be used as a scheduling and managing tool, as well as the basis for invoicing.
- E. Identification of the level of the institution's participation in the project as well as any other services to be provided by the institution.

The proposals will be evaluated to determine if the vendor can provide equipment and software that will enable the Bookstore a management tool to provide critical information for decision making in procurement and management of the Bookstore. All proposals received by the deadline will be evaluated by representatives of Normandale Community College. In some instances, an interview may be part of the evaluation process. Factors on which proposals will be judged include, but are not limited to, the following:

- A. Expressed understanding of proposal objectives.
- B. Work plan.
- C. Cost detail.
- D. Qualifications of both company and personnel. Experience of personnel who are committed to work on the contract will be given greater weight than that of the firm.

It is expected that evaluation and selection will be completed by December 14, 1998.

The evaluation of the information provided in the proposals will determine if the proposed system and equipment will meet the need of the Normandale Community College Bookstore. The final recommendation will be submitted to Dr. Bernardine Bryant, Vice President of Administrative Services, Normandale Community College.

The successful responder will be required to submit acceptable evidence of compliance with Minnesota workers' compensation insurance coverage requirements prior to execution of the contract.

Minnesota human rights compliance requirements differ from many other states in that it does not accept a federal compliance certification. Minnesota's requirements are more detailed.

## Professional, Technical & Consulting Contracts

---

Additionally, the following language will be included in any contract resulting from this Request for Proposal:

The contractor certifies that it has received a certificate of compliance from the Commissioner of Human Rights pursuant to *Minnesota Statutes*, Section 363.073. It is hereby agreed between the parties that *Minnesota Statutes*, Section 363.073 is incorporated into this contract by reference.

Compensation will be for *all* services performed, unless a specific payment schedule is mutually agreed upon. Normandale Community College *does not* make regular payments based on the passage of time, it only pays for services performed or work delivered *after* it is accomplished.

Payment is only made after the submission of an authorized invoice.

**Late proposals will not be accepted.**

Submit three copies of proposal. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. Each copy of the proposal must be signed, in ink, by an authorized member of the firm. Prices and terms of the proposal as stated must be valid for the length of any resulting contract.

## Department of Human Services

### State Operated Services

### Request for Proposals for Executive Development Training Services

#### Scope of Proposal

The State-Operated Services System of the Department of Human Services is seeking proposals from qualified vendors experienced in the art of strategic thinking, planning, implementation of plans, and shared decision-making. The State-Operated Services System which includes the 10 Regional State-Operated Services Centers and the State-Operated Services Support Division is in a period of rapid transition: in the location of services from campus-based to community-based services in multiple locations, in the funding of services, as well as involving Bargaining Units in a shared decision-making role with leaders. This shift is producing changes to the management structures and operations of the system and related staff. The leaders of State-Operated Services, both administrators and clinicians, must be able to vision and articulate these changes and become skillful in strategic thinking to lead through the transitions.

The State-Operated Services System includes the following components: Five psychiatric hospitals providing principally psychiatric and chemical dependency inpatient services, several facility-based residential programs for persons with developmental disabilities/related conditions, a facility-based nursing home for elderly with dementia and other psychiatric related problems, two facilities for the mentally ill and dangerous/psychopathic personality patients who are served in locked and secure facilities, a large community-based operation, including 4-person homes and other services for persons with developmental disabilities, and a series of community-based initiatives for persons who are seriously and persistently mentally ill delivered by State-Operated Services teams. The System is organized principally around regions and in locations that serve the entire state.

The consultation provided under this contract would be delivered to 25 managers/leaders from the State-Operated Services System. These leaders deliver or support the delivery of services to persons with serious and persistent mental illness, developmental disabilities, and substance abuse.

#### Goals and Objectives to be Accomplished

Responsibilities under this contract will include:

1. Development and implementation of a proposed training curriculum that utilizes applied learning in the areas of strategic thinking, planning, implementation of plans, and shared decision-making models.
2. Focus of the proposed curriculum will be the State-Operated Services Adult Mental Health Programs' evolution.
3. Provide feedback to the learners concerning the use of strategic thinking, planning, implementation strategies, and shared decision-making concepts.
4. Structure the executive development around minimally four to six meetings of approximately one day to one and one half days each to effectively learn the aforementioned strategies.
5. Provide a written report concerning the training outcomes to the Assistant Commissioner of Continuing Care on a quarterly basis and at the conclusion of the executive development series.
6. All costs for this project must be included in the proposal, including training materials, forms, documents, any manuals, etc., that may be used in the training. *The State-Operated Services Support Division will supply a training site in the metropolitan area.*

---

---

## Professional, Technical & Consulting Contracts

This request for proposal does not obligate the State to complete the proposed project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

### Proposal Contents

The following will be considered minimum contents of a proposal:

1. Narrative of project proposal identifying and describing the services and products to be offered.
2. Resumes outlining the responders capabilities and experience.
3. Name and addresses of at least three organizations whose executives have been trained by the responder in strategic thinking, planning, implementation, and shared decision-making concepts.
4. Names and resumes of the person or persons who will supervise and conduct the training, if different from No. 2 above. No change in personnel will be permitted without the approval of the State-Operated Services System once the project has started.
5. Detailed budget, work plan, and schedule that identifies how the major goals will be accomplished.
6. A concise narrative that outlines why the vendor should be selected to provide the required Executive Development Training. In addition, a restatement of the objectives, goals and tasks must be included to show/demonstrate the vendor's view of the nature of the project.

### Submission of Proposals

Vendors with experience in strategic thinking, planning, and implementation strategies, and shared decision-making concepts will be considered for this project. Responder experience and qualifications, quality of the proposal, and cost will be considered in awarding the contract. Notification of the selection will be sent by mail to all responders. The selected responder may be asked to complete an interview as the final step in the selection process.

Submit two copies of the proposal in an 8 1/2 x 11 format. All proposals must be sent to:

Tom Eberhart  
State-Operated Services Support Division  
444 Lafayette Road  
5th Floor  
St. Paul, Minnesota 55155-3826  
(651) 296-8974

All proposals must be received no later than the close of the business day (4:30 p.m.), Tuesday, November 24, 1998.

Late proposals and fax proposals will not be accepted. Please ensure that the two copies of the proposal submitted are signed in ink by an authorized member of the submitting organization. Prices and terms of the proposal as stated must be valid for the length of any resulting contract.

## Department of Transportation

### Engineering Services Division

### Notice of Availability of Contract for Cone Penetrometer Testing

The Minnesota Department of Transportation (Mn/DOT) is requesting proposals for evaluating Cone Penetrometer Testing (CPT) technology for use in designing both shallow and deep foundation for structures. Data collected from CPT will be compared with the soil boring testing currently used by the Foundations Unit of Mn/DOT.

Work is proposed to start after January 1, 1999.

In accordance with *Minnesota Rules*, part 1230.1810, subpart B, and *Minnesota Rules*, part 1230.1830, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal.

Request for Proposals will be available by mail from this office through November 9, 1998. **A written request (direct mail or FAX) is required to receive the Request for Proposal. Indicate whether your firm is a Targeted Group Business in your written request.** After November 9, 1998, the Request for Proposal must be picked up in person.

## Non-State Public Bids, Contracts & Grants

---

---

The Request for Proposal can be obtained from the Agreement Administrator:

Mark Hagen  
Consultant Services Unit  
Minnesota Department of Transportation  
395 John Ireland Boulevard, MailStop 680  
St. Paul, MN 55155  
FAX: (651) 282-5127

Proposals in response to the Request for Proposals in this advertisement must be received at the above address no later than 2:00 P.M. on November 23, 1998. **No proposals will be accepted after 2:00 P.M.** No time extensions will be granted.

This request does not obligate the State of Minnesota Department of Transportation to complete the work contemplated in this notice, and the Department reserves the right to cancel this solicitation. All expenses incurred in responding to this notice shall be borne by the responder.

## Non-State Public Bids, Contracts & Grants

---

---

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector.

It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

---

## Metropolitan Airports Commission

### Public Notice for Qualifications Statements for Marketing Consulting Services

The Metropolitan Airports Commission (MAC) is requesting qualifications statements from firms in the Twin Cities Metropolitan Area to provide marketing consulting services to MAC as set forth in the Request for Qualifications for Marketing Consultant Services, which is available for review at the Commission offices.

To request a copy of the "Request for Qualifications for Marketing Consulting Services" which outlines the selection process, contact Tina Berkhoeel, Air Service Business Development Department at 726-8110. The deadline for submission of qualifications statements is Thursday, November 12, 1998.

## University of Minnesota

### Notice of Bid Information Service (BIS) Available for All Potential Vendors

The University of Minnesota offers 24 hour/day, 7 day/week access to all Requests for Bids/Proposals through its fax back Bid Information Service (BIS). Subscriptions to BIS are \$75/per fiscal year (not prorated). Call 612-625-5534 for information or visit our web site at <http://purchserv.finop.umn.edu>. Choose BID Information Service.

Requests for Bids/Proposals are available to the public at no charge each business day from 8:00 a.m. - 4:30 p.m. in Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls, MN 55454.